S. HRG. 101-551

GENTILE AND BARTLETT NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON THE

NOMINATIONS OF ROBERT H. GENTILE TO BE ASSISTANT SECRETARY FOR FOSSIL ENERGY, AND JOHN W. BARTLETT TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY

FEBRUARY 5, 1990

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GENTILE AND BARTLETT NOMINATIONS

MONDAY, FEBRUARY 5, 1990

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m., in room SD-366, Hon. J. Bennett Johnston, chairman, presiding.

OPENING STATEMENT OF HON. J. BENNETT JOHNSTON, U.S. SENATOR FROM LOUISIANA

The CHAIRMAN. The hearing will come to order.

This is a hearing on President Bush's nomination of Robert H. Gentile to be Assistant Secretary of Energy for Fossil Fuels and John Bartlett to be Director of the Department's Office of Civilian Radioactive Waste Management.

Without objection, the written testimony of each of the witnesses, the Committee questionnaire and their financial disclosure statements will be submitted for the record.

We are especially pleased this afternoon to have two of our colleagues and great friends, first of all John Glenn, Senator from Ohio, to introduce Mr. Gentile.

[The prepared statements of Senators McClure and Murkowski follow:]

OPENING STATEMENT OF SENATOR JAMES A. MCCLURE

HEARING TO CONSIDER NOMINATIONS TO THE DEPARTMENT OF ENERGY:

JOHN W. BARTLETT TO BE DIRECTOR OF THE
OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT; AND

ROBERT H. GENTILE TO BE ASSISTANT SECRETARY OF ENERGY
FOR FOSSIL ENERGY

February 5, 1990

GOOD MORNING. I WOULD LIKE TO BEGIN BY WELCOMING TO THE COMMITTEE TODAY OUR TWO PRESIDENTIAL NOMINEES. I AM PLEASED TO SUPPORT THE NOMINATIONS OF JOHN W. BARTLETT TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT AND ROBERT H. GENTILE TO BE AN ASSISTANT SECRETARY OF ENERGY FOR FOSSIL ENERGY.

DR. BARTLETT'S BACKGROUND AS A NUCLEAR ENGINEERING EXECUTIVE WILL SERVE HIM WELL IN CARRYING OUT HIS RESPONSIBILITIES FOR DEVELOPING THE NATION'S WASTE DISPOSAL SYSTEM FOR SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE. FOR A DECADE, PRIOR TO HIS JOINING THE DEPARTMENT OF ENERGY AS A CONSULTANT TO THE SECRETARY, DR. BARTLETT DIRECTED ENERGY AND ENVIRONMENT WORK FOR THE ANALYTIC SCIENCES CORPORATION IN READING, MASSACHUSETTS. HIS WORK THERE INCLUDED DETAILED KNOWLEDGE OF HIGH-LEVEL RADIOACTIVE WASTE PROGRAMS. PRIOR TO THAT (1969-1978), AS THE MANAGER OF SYSTEM STUDIES IN THE NUCLEAR WASTE TECHNOLOGY PROGRAM OFFICE OF BATTELLE PACIFIC NORTHWEST LABORATORIES IN RICHLAND, WASHINGTON, HE DIRECTED ANALYTIC AND INSTITUTIONAL HIGH-LEVEL WASTE PROGRAMS.

DR. BARTLETT RECEIVED HIS PhD AND MASTERS IN CHEMICAL ENGINEERING FROM RENSSELAER POLYTECHNIC INSTITUTE AND HIS BACHELOR OF SCIENCE DEGREE IN CHEMICAL ENGINEERING FROM THE

UNIVERSITY OF ROCHESTER. HIS EXPERIENCE AND EDUCATIONAL BACKGROUND CERTAINLY MAKE HIM WELL-QUALIFIED FOR THE POSITION TO WHICH HE HAS BEEN NOMINATED.

MR. GENTILE HAS HAD A LONG CAREER IN THE FOSSIL ENERGY FIELD. HIS INDUSTRY BACKGROUND AS CHIEF EXECUTIVE OFFICER OF TWO DIFFERENT COAL MINING COMPANIES FOLLOWED BY HIS EXPERIENCE WITH THE FEDERAL GOVERNMENT, PARTICULARLY AS DIRECTOR OF THE DEPARTMENT OF THE INTERIOR'S OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, QUALIFY HIM FOR THE POSITION OF ASSISTANT SECRETARY FOR FOSSIL ENERGY. FIVE YEARS AS A FEDERAL GOVERNMENT MANAGER WITH THE PEACE CORPS HAVE ADDED TO HIS MANAGEMENT EXPERIENCE.

MR. CHAIRMAN, I AM PLEASED TO BE ABLE TO SUPPORT BOTH NOMINEES, AND LOOK FORWARD TO THE COMMITTEE'S SWIFT ACTION IN REPORTING THEM TO THE FLOOR.

OPENING STATEMENT
Senator Frank Murkowski

Energy Full Committee Hearing
February 5, 1990

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

THANK YOU FOR HOLDING THIS HEARING TODAY ON THE APPOINTMENT BY PRESIDENT BUSH OF MR. ROBERT GENTILE AS THE NEW ASSISTANT SECRETARY FOR FOSSIL ENERGY. I WANT TO WELCOME MR. GENTILE TO THE COMMITTEE AND CONGRATULATE HIM ON HIS NOMINATION.

THE COMMITTEE IS FORTUNATE TO HAVE SOMEONE WITH MR. GENTILE'S EXPERIENCE BEFORE US TODAY. HE HAS A BROAD BACKGROUND IN THE MINING INDUSTRY. HE WAS THE CHIEF EXECUTIVE OFFICER OF THE OHIO RIVER COLLIERIES GROUP AND ONE OF THE FOUNDING MEMBERS OF THE MINING AND RECLAMATION COUNCIL. HE ALSO HAS A DISTINGUISHED BACKGROUND IN GOVERNMENT SERVICE. MR. GENTILE WAS APPOINTED BY PRESIDENT REAGAN TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT IN 1988. BEFORE THAT HE SERVED AS THE LIAISON FOR COAL AFFAIRS TO BOTH THE SECRETARY OF THE INTERIOR AND THE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT.

WHAT IS IMPORTANT TO NOTE AS WE LOOK OVER MR. GENTILE'S PAST EXPERIENCE IS HIS SUCCESS AT BALANCING INTERESTS. AT THE OFFICE OF SURFACE MINING IT WAS THE MINING INDUSTRY AND THE NEED TO PROTECT OUR ENVIRONMENT AND AGRICULTURAL PRODUCTIVITY. AS THE LIAISON FOR COAL AFFAIRS HE COORDINATED COAL POLICY AMONG ALL THE INTERIOR AGENCIES. EVEN AS FAR BACK AS 1970 MR. GENTILE WAS A STATE DEPARTMENT FOREIGN SERVICE OFFICER ASSIGNED TO THE PEACE CORPS -- A JOB DEMANDING THE HIGHEST DEGREE OF BALANCING INTERESTS.

A CASE ON POINT WAS HIS INTERVENTION IN A SURFACE MINING PROBLEM IN ALASKA. OUR ONLY OPERATING COAL MINE WAS LOCKED

IN A BITTER DISPUTE OVER RECLAMATION BONDING WITH THE STATE REGULATORS. AT ISSUE WAS INTERPRETATION OF THE FEDERAL REQUIREMENTS AND PROPER IMPLEMENTATION OF THE STATE PROGRAM. MR. GENTILE TRAVELED TO ALASKA, VISITED THE MINE SITE AND SAT DOWN IN A ROOM WITH THE MINE OPERATORS AND THE STATE -- DETERMINED NOT TO LEAVE UNTIL THE ISSUE WAS RESOLVED. WELL, THE MATTER WAS RESOLVED TO EVERYONE'S SATISFACTION. THIS IS THE KIND OF REGULATORY INTERVENTION WE NEED MORE OF.

MR. GENTILE'S EXPERTISE IN THE FOSSIL FUELS AREA AND HIS ABILITY TO WORK THROUGH TOUGH PROBLEMS TO FORGE RESPONSIBLE COMPROMISES WILL SERVE HIM WELL AS ASSISTANT SECRETARY OF ENERGY FOR FOSSIL FUELS. I HIGHLY RECOMMEND HIM TO THE COMMITTEE.

STATEMENT OF HON. JOHN GLENN, U.S. SENATOR FROM OHIO

Senator GLENN. Thank you, Mr. Chairman, very much. I am happy to be here today, and also supporting this nomination is Congressman Ralph Regula who comes from the district out there where Mr. Gentile has lived and done so much work.

Mr. Gentile has been nominated by President Bush to serve as Assistant Secretary for Fossil Energy. He has been serving as a consultant to the Department of Energy and previously served as President Reagan's Director of the Interior Department's Office of Surface Mining Reclamation and Enforcement, in which we have so much activity in Ohio out of the strip mining activity there.

He was appointed to that position in November of 1988 and he had served as an acting director there since March of 1988. They administer all the Surface Mining Control and Reclamation Act, and of course we are all well aware of our need for coal as an essential source of energy, with a need at the same time to protect our Nation's environment and agricultural productivity.

Prior to that time, Mr. Gentile served as liaison for coal affairs to both the Secretary of Interior and Assistant Secretary for Land and Minerals Management. He coordinated coal policy among all Interior Department agencies and worked very closely with the three minerals management agencies, the Bureau of Land Management (BLM) and the Minerals Management Service as well as OSMRE.

From 1982 to 1986 he had business experience, also, as Chief Executive Officer of the Ohio River Collieries Group, the consortium of six companies working in Southeast Ohio involved in coal operations and construction, land development, agriculture and trucking operations, all phases of the coal industry.

From 1975 to 1982 he was President of N&G Construction, which became part of that Ohio River Collieries Group. He was a founding member of the Mining and Reclamation Council; the national trade association has since become part of the National Coal Association. He served as technical services for MARC for that group, and was a member of its board of directors. He has been on the board of the Ohio Coal and Energy Association and is a charter member of the National Coal Council.

From 1970 to 1975 he was in a different line of work. He was in the State Department as a foreign service officer assigned to the Peace Corps. He held various positions in Washington as well as overseas, the final three years as deputy director of Peace Corps operations in Brazil.

He is a native of Ohio, grew up in that coal country, Southeast Ohio, so he knows the business life-long. He holds a B.A. in political philosophy from Franciscan University of Steubenville which undoubtedly does him well in the Washington environment here, but also has an MBA in international trade and finance from the University of Toledo.

A man of excellent reputation, we are glad to recommend him to you and the Committee, Mr. Chairman, most highly, and I am honored to be here today to be able to introduce him to you, and I know that Congressman Regula also has some comments.

The CHAIRMAN. Thank you very much, Senator Glenn. I know you have got other committees and we would love to have you stay this morning, but if you have to leave we understand.

Senator GLENN. I will stay for a few minutes.

The CHAIRMAN. Next, we do want to introduce my good friend and an outstanding Congressman from Ohio, Ralph Regula.

STATEMENT OF HON. RALPH REGULA, U.S. REPRESENTATIVE FROM OHIO

Mr. REGULA. Thank you, Mr. Chairman. I appreciate the opportunity to be here in support of Bob Gentile to the Committee as the President's nominee for Assistant Secretary for Fossil Energy.

Bob is from the district adjacent to mine. I have known him a long time. As the senator pointed out, he is a native of Ohio, and I have had the satisfaction of knowing him for a number of years both in his official capacity here in Washington as well as back home.

I have worked closely with Bob during his tenure at the Department of the Interior, and I have known of his work in the Ohio coal mining industry. I think it is important to point out here the Gentile family companies—and Bob served as the CEO for several years—located in Southeastern Ohio, are known and respected for outstanding environmental work and for going far beyond what is required by Ohio law and Federal law in assuring the environmental integrity of our lands.

We are going to have to strike a balance in using a very vital resource namely coal, while at the same time protecting the land for future use and future generations. Bob will bring an excellent background in coal, our most abundant fossil energy resource, to this assignment as Assistant Secretary.

He also has excellent managerial skills. I have observed this because he appeared before our Committee a number of times on Interior appropriations and I have worked closely with him and the Office of Surface Mining. We have a lot of reclamation in the State of Ohio because of our mining industry.

I am confident that the Nation will be well served by Bob in what I think is one of the very important responsibilities. I have been very much interested in the clean coal program. I think it is the future of the use of this important resource. More and more we note brownouts, blackouts, power shortages and therefore it becomes vital that we use coal rather than to increase our dependency on imports for the production of electricity, so this responsibility requires somebody that understands the industry, understands environmental considerations, and understands the importance of this resource to the Nation's future.

The CHAIRMAN. Thank you very much, Congressman Regula. Let me say I share with you a desire to see the clean coal program move forward. I think it is the technology of choice from the standpoint of the environment, and I hope the Clean Air Act legislation will permit the use of clean coal technology because I think it is, as I say, the technology of choice.

Mr. REGULA. Mr. Chairman, you are absolutely right. When you think the private sector has committed about 60 percent of the

cost, totaling $6 billion now being spent, when the law only required 50, it is quite clear that the private sector has confidence in the future of this program.

As you point out, we need a time line in the Clean Air bill that will allow industry to take advantage of this.

The CHAIRMAN. Thank you. Are there any questions for Senator Glenn or Congressman Regula?

[No response.]

The CHAIRMAN. Thank you very much.

Gentlemen, the rules of the Committee, which apply to all nominees, require that they be sworn in connection with their testimony. If you will therefore please rise and raise your right hand.

[Whereupon, the nominees were duly sworn by the Chairman.]

The CHAIRMAN. Please be seated. Before you begin your statement I will ask you three questions addressed to each nominee before this Committee: Will you be available to appear before this Committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress? Mr. Gentile.

Mr. GENTILE. I will.

The CHAIRMAN. Mr. Bartlett.

Mr. BARTLETT. I will.

The CHAIRMAN. Are you aware of any personal holdings, investments or interests which could constitute a conflict of interest or create the appearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the President?

Mr. GENTILE. My investments, personal holdings and other interests have been reviewed by both myself and appropriate ethics counselors of the Federal Government. I have taken appropriate action to avoid any conflicts of interest, and there are no conflicts of interest or appearances thereof, to my knowledge.

The CHAIRMAN. Mr. Bartlett.

Mr. BARTLETT. My investments, personal holdings and other interests have been reviewed by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interest, and there are no conflicts of interest or appearances thereof, to my knowledge.

The CHAIRMAN. Thank you very much, gentlemen. If you would proceed. Mr. Gentile, your full statement is in the record, but you may proceed as you wish.

STATEMENT OF ROBERT H. GENTILE, NOMINEE TO BE ASSISTANT SECRETARY FOR FOSSIL ENERGY, DEPARTMENT OF ENERGY

Mr. GENTILE. Mr. Chairman, members of the Committee, I am honored to appear before you today as the President's nominee for Assistant Secretary of Fossil Energy. I find the possibility of joining the President and Admiral Watkins exciting, as they move towards crafting an energy strategy for this Nation. Equally, I look forward to continuing working with Members of Congress, the staff and the public in contributing to that process.

Gentlemen, I am the son of immigrant parents who taught their children to get a good education, to work hard, to serve their country and to do all things honorably, and those are the cornerstones on which my life has been built. I have spent my career both in the public and private sectors producing and regulating energy and also managing a variety of large organizations both here and abroad.

I grew up in the country and learned early on a deep respect for the land and our natural surroundings. Likewise, energy production is second nature to me, and I have learned by doing how to use our resources while at the same time protecting our environment. If confirmed, that spirit of environmental stewardship will be part and parcel of every decision I make at the Department of Energy.

I approach this opportunity with every confidence that my knowledge and managerial style bolstered by the tremendous talent and dedication of the career staff at Fossil Energy will provide the type of leadership in the fossil arena that we need at this time.

We are entering a new era, an era in which environmental rhetoric is being replaced by environmental action, yet we must assure that this country has an adequate supply of energy at a reasonable cost, that we maximize the efficiency of both the production and use of that energy and that we do so while protecting and improving the environment. I fully support the President and the Secretary in this endeavor.

Fossil energy will be a mainstay of our energy base for many years to come, both here and abroad, and our challenge is to find better and ever improving means of producing and utilizing that energy. It is through research, development, demonstration and education that we will meet that objective. And, if confirmed, I will work diligently to that end.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Gentile follows:]

Statement of Robert H. Gentile
Nominee for Assistant Secretary for Fossil Energy
U.S. Department of Energy

Mr. Chairman and distinguished members of the Committee:

I am honored to appear before you today as President Bush's nominee for the position of Assistant Secretary for Fossil Energy at the U.S. Department of Energy.

If confirmed, I look forward to joining the team that Admiral Watkins has assembled to respond to the President's charge to forge a National Energy Strategy for this Nation.

Similarly, I look forward to working closely with Members of Congress, with your staffs, and with the public in developing the necessary consensus to achieve that vision of our energy future.

Please allow me a few minutes to review with you my background.

As the first son of Italian immigrants who settled and built a family business in southeastern Ohio, I am proud of my heritage. My family instilled several principles in me that have served me well throughout my career.

First, I was taught to take every opportunity to obtain the very best education possible.

Second, I learned the value of hard work as a way of life.

Third, I learned the value of public service. We have an obligation to give back to this country our time and effort in gratitude for the blessings it has bestowed on us.

Lastly, and above all, a man has nothing if he does not have his honor.

These have been the cornerstones on which my life, my training, and my professional career have been built.

After completing my formal education, I was accepted into the Peace Corps Fellows Program. I spent 5 years with the Peace Corps in a variety of assignments both in Washington and overseas. I worked extensively throughout Latin America and gained an understanding of the social and economic plight of the developing nations. It is that firsthand experience that, I believe, will serve me well in helping develop energy policies that serve both global and domestic needs.

After completing my last assignment with the Peace Corps (as Deputy Director of Operations in Brazil), I joined a family business in southeastern Ohio. I spent the next 12 years managing coal and construction companies. It was during that period that my education began to focus on the issues facing the domestic coal industry.

In the summer of 1986, the Secretary of Interior, Donald Hodel, asked me to come to Washington to serve as a Liaison for Coal Affairs with the Assistant Secretary for Land and Minerals Management. I served in that capacity until March of 1988 when I became Acting Director of the Office of Surface Mining (OSM); in November of 1988 I received a Presidential appointment as OSM Director.

Secretary Hodel's directions to me were twofold: one, to improve management at that Bureau, and two, to carry out our stewardship mission with preeminent attention to preserving and protecting the environment. Our mission was to ensure that coal -- a resource vital to our national energy and economic security -- was produced in a way that protected and retained the agricultural integrity of our lands. Our objective was to fashion policies and practices that assured

that coal-bearing lands could be passed on to future generations in as good, if not better, condition than they were found.

Energy production is second nature to me since my orientation has always been field operations. I am sensitive to environmental issues and how they interplay in the production of energy. That spirit of environmental stewardship must, and will, be part-and-parcel of every decision I make at the Department of Energy -- including the operation of our own facilities and in the operations of our contractors.

While the Fossil Energy organization is diverse, with a myriad of different technological disciplines, I approach this new management opportunity with confidence and eagerness -- bolstered in large part by the tremendous reservoir of talent and dedication that exists within the career ranks.

I am a people person. I am open; direct; I listen; I manage through respect, not authority. I manage by motivation and leadership. Yet, I am demanding, more of myself than

others. I have high expectations of my staff and those around me, and I have the reputation, I suspect, of being a tough taskmaster.

I view my responsibility to my staff as one of setting goals and providing the support they need to accomplish these goals. I welcome the advice of career staff. They provide the continuity and the programmatic expertise. If confirmed, I look forward to providing the leadership they deserve.

I will be equally serious about my responsibility to the Congress. I believe that open communications with both Members and staff will be critical to any effectiveness I may achieve, and critical to achieving our national goals.

Ultimately, nothing done by the Department of Energy to enhance energy security is meaningful unless it is accepted and used by industry. A workable, productive partnership between government and industry is crucial to successful technology transfer, and that working partnership must begin at the Office of the Assistant Secretary.

Molded in large measure by my early career experiences, I have a strong appreciation for the international aspects of

energy and for the extraordinary opportunities that are opening overseas for the U.S. energy industry and for U.S. energy and environmental technology. The export and collaborative international initiatives being undertaken by the Department of Energy, and more specifically by the Office of Fossil Energy, are exciting and fall within the spectrum of experience that I feel I can contribute to the task.

I understand the importance of energy technology. I share the commitment of the President and the Secretary to full funding and expeditious implementation of the Clean Coal Technology Program. I recognize the vital importance of a sound core program of coal research and development that can push outward the boundaries of today's technology. I fully endorse the Administration's efforts to realign its petroleum research program to address the critical and urgent issues that confront our Nation's oil industry. And I support the development of both production and end-use technologies that can expand markets for natural gas.

We must recognize that the decade of the 1990s likely will be shaped not only by a new environmental consciousness but also by renewed concerns over the dangerous growth in oil imports and about the reliability and adequacy of our

nation's electricity supplies. It is incumbent upon us to develop and deploy technologies that can meet the demands of a growing economy without compromising the environment, public health or safety. We have the technological creativity to do it, and I am confident that, likewise, we have the national leadership and the will.

I am committed to the objectives of President Bush and Admiral Watkins to not only increase the level of science and engineering literacy of this country, but to enhance the opportunities available to our scientists and engineers of tomorrow. The partnerships we have with private sector organizations, institutions of higher learning, and other Federal agencies need to be expanded and strengthened. One of our challenges will be to continue to take the expertise of our national laboratories and energy technology centers and transfer on an appropriate basis this knowledge to our private sector partners both in industry and academia. And there is much that we can gain by opening our laboratories as training centers for tomorrow's coal, oil and gas experts. I intend to be steadfast in my personal interest and commitment to further these opportunities.

I realize how critical it is for the diverse pieces of a national energy program to fit together in a coherent

structure. Secretary Watkins has placed the Department of Energy on a path to define an energy strategy that encourages a mixed and balanced supply of energy sources at reasonable costs. From this National Energy Strategy, I am convinced that we, collectively as a Nation, can adopt energy policies that achieve a secure energy future without compromising a clean, healthy environment or our economic vitality. And I am equally convinced that this Strategy and the policies that flow from it can reflect the continuing contribution of fossil fuels. I want to help develop these policies.

If confirmed, I look forward to working with Members of this Committee and other Members of Congress to fashion those policies and programs.

Thank you very much. I welcome any questions that the Committee wishes to ask.

The CHAIRMAN. Thank you very much, Mr. Gentile.
Mr. Bartlett.

STATEMENT OF JOHN W. BARTLETT, NOMINEE TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY

Mr. BARTLETT. Thank you, Mr. Chairman.

If I may, I would like to take this opportunity to introduce my wife, Elaine.

The CHAIRMAN. Welcome, Mrs. Bartlett. Do you have your family here, Mr. Gentile?

Mr. GENTILE. No, I do not.

Mr. BARTLETT. Thank you, Mr. Chairman and members of the committee. I appreciate greatly the opportunity to come before you today as President Bush's nominee to be Director of the Office of Civilian Radioactive Waste Management.

As you have noted, I have submitted my written statement for the record, and I would like to take this opportunity to summarize it briefly for you orally.

First, with regard to my credentials for the position, I have technical training and management experience, which I believe will enable me to provide strong program leadership.

I also have public service experience which indicates, I believe, that I will be highly effective in interactions with the Congress and other parties interested in the civilian radioactive waste program.

With regard to discharging the duties of the director, I would like to highlight now for you some key points addressed in my written statement.

First, as I stated in my written statement, I am acutely aware that achievement of the OCRWM mission depends greatly on Congress and other affected parties. So, I pledge to you that if confirmed, I will have open, frequent and effective interactions with the Congress.

Next, concerning management effectiveness, if confirmed I would extend actions already initiated by the Secretary with the objective of achieving respect for DOE's management of the program in all of its aspects.

Next, concerning the Yucca Mountain project, if confirmed I would pursue a site evaluation program that is objective, open, unbiased, and of unquestioned scientific merit. All aspects of the program would be subjected to comprehensive external technical peer review.

And, in summary, I would like to state again that I believe I am highly qualified to provide the leadership that the Office of Civilian Radioactive Waste Management requires. I have an action plan for implementing that leadership under the Secretary's direction if confirmed.

And in closing, I would like to repeat once again my pledge for frequent and effective interactions with the Congress, and at this point I would be pleased to answer any questions you might have.

[The prepared statement of Mr. Bartlett follows:]

STATEMENT OF

JOHN W. BARTLETT

BEFORE THE

SENATE COMMITTEE ON

ENERGY AND NATURAL RESOURCES

FEBRUARY 5, 1990

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to come before you today as President Bush's nominee to be Director of the Office of Civilian Radioactive Waste Management at the Department of Energy. As you know, the Office was established by the Nuclear Waste Policy Act of 1982 (P.L. 97-425), which was amended in 1987 by the Nuclear Waste Policy Amendments Act (P.L. 100-203). I am enthusiastic about the opportunity to work toward implementation of this Act.

I believe I would bring to the position of Director of OCRWM the skills, experience, dedication and leadership needed to move the program forward effectively. First, I would note that I have professional training and experience needed to provide effective leadership for the technical aspects of the program. I hold a PhD in chemical and nuclear engineering, and early in my career taught, at the graduate level, some of the technologies that are of central importance to the program.

For the past eighteen years I have applied that expertise to management of projects related to the OCRWM program. Throughout the 1970's, while employed by Pacific Northwest Laboratories, I directed activities which laid the foundation for, and evolved into, current OCRWM technical program activities. In recent years, while employed by The Analytic Sciences Corporation, I

directed projects aimed at improving the effectiveness of the OCRWM technical program. I can state with confidence that I enjoy a reputation within the technical community for integrity, objectivity, insight and effectiveness in these activities.

An equally important qualification I would bring to the position of Director of the Office of Civilian Radioactive Waste Management is my experience in public service. I have served four terms of elected public office and three terms in a highly-sensitive appointed office. As a result of this experience, I have learned well a lesson which you all know well: the need to listen to, respect, and act on, the constituencies of your public trust.

I am acutely aware of the fact that achievement of the OCRWM mission depends ultimately on the Congress and other affected parties. The high-level waste management facilities will have to be sited and operated on land currently under the jurisdiction of others, and waste will have to be transported safely in our Nation's transportation system. The goals can be achieved only with the participation of all affected parties. If I am confirmed to be Director of OCRWM, I pledge to you that I will exercise fully my capabilities and experience in constituency relations. I especially pledge open, frequent, and effective interactions with Congress.

I would like to now take this opportunity to briefly describe what I see as the key challenges OCRWM faces and how I would address them.

As you know, the Report of the House Committee on Appropriations (House Report No. 101-96) on the Energy and Water Development Appropriations Act 1990 (P.L. 101-101), directed the Department of Energy "... to submit a report within 60 days of enactment ... which describes in detail how the Department plans to respond to the Committee's ... concerns dealing with endemic schedule slips, problems in management structure, and lack of integrated contractor efforts." In response, Secretary Watkins submitted to the Congress, on November 29, 1989, his report on Reassessment of the Civilian Radioactive Waste Management Program. In that report, the Secretary announced the initiation of a three-point action plan centered on restructuring of OCRWM; initiatives to gain access to the Yucca Mountain site to continue the scientific investigations needed to evaluate the site's suitability for a repository; and an initiative for establishing integrated monitored retrievable storage (MRS) with a target for spent-fuel acceptance in 1998.

I fully endorse Secretary Watkins initiative and will put it into action. I would like to outline for you some highlights of how I expect to proceed if confirmed.

With regard to restructuring of OCRWM, action has already been taken to have the Yucca Mountain Project Office report directly to the Office of the Director of OCRWM rather than to the Nevada Operations Office. If confirmed, I would expect to build on this important first step by reorganizing, as necessary, to improve management effectiveness and accountability, and by making staff additions and revisions to assure that DOE personnel, through ability and authority, are fully in command of their responsibilities. I would expect to strengthen the resources applied to, and the effectiveness of, interactions with the Congress and others. I will take action to assure that contractor support services are those which are necessary and appropriate.

With regard to evaluation of the suitability of the Yucca Mountain site for a repository, the Department has, as you know, taken legal action to gain access to the site for the scientific investigations necessary to evaluate suitability. As Director of OCRWM, I would implement a focused investigation program designed to achieve defensible evaluation of suitability or lack thereof as soon as possible after the investigations begin.

I would like to emphasize two essential strategic features of this site evaluation program. First, it is essential that the technical program function with unquestioned quality and merit. To this end, I would assure that all activities and findings be subject to comprehensive peer review by the technical community

external to the program, including technical experts representing the State of Nevada. To fulfill this requirement, I would call on the resources of the Nuclear Waste Technical Review Board, the National Academy of Sciences and other external parties who can provide forums for the open, professional debate that is essential to achieve resolution of technical issues.

Second, I would assure that the criteria for evaluation of suitability be developed by parties external to DOE. It is inappropriate and indefensible that DOE "make up the rules as it goes along". The suitability criteria must be generic and must be designed to assure that the suitability of any candidate site is evaluated on a basis consistent with public policy concerning preservation of health, safety and the environment.

I would like to mention one other leadership initiative I would take if confirmed as Director of OCRWM. As indicated above in connection with evaluation of the suitability of the Yucca Mountain site for repository, I believe it is essential that DOE clearly functions as the implementor, and not the promulgator, of the health, safety, environmental, and other standards and criteria governing implementation of the OCRWM mission. I also believe it is essential that DOE take action to help assure that

the criteria are available in timely fashion, i.e., when needed to meet mission goals. Some of the rules and requirements for implementing the regulatory framework for the OCRWM mission are not yet in place, and I would take initiatives to help assure their timely development.

In summary, I believe I am highly qualified to undertake the responsibilities of Director of the Office of Civilian Radioactive Waste Management. I understand the objectives and needs of the program, and I believe I can provide the leadership needed to achieve real progress.

In closing, I would like to reemphasize my pledge to communicate and work effectively with the Congress. Effectiveness in interactions between OCRWM and the Congress is of highest priority for success.

Thank you for the opportunity to make this presentation to you. I would be pleased to answer any questions you may have.

The CHAIRMAN. Thank you very much, Mr. Bartlett.

First of all, Mr. Gentile, you have heard the exchange we have had here on clean coal technology. Are you up to speed on the details of that yet? It may be a little premature for you.

Mr. GENTILE. I know quite a bit about the program and some of the technologies. In terms of the specific projects, I am not that familiar with them on an individual basis.

The CHAIRMAN. Suffice it to say that this committee is very interested in clean coal technology. We have pushed it in the past. I think it has great promise. We do not want to snuff out that baby in the crib by going too prematurely on the Clean Air Act. I think we will and we should pass Clean Air Act legislation this year. I hope the date in the Clean Air Act will not preclude the full use of clean coal technology. I hope you will, as you get up to speed on clean coal technology, give us your advice on that.

Now, in a parochial matter, the fiscal year 1988 Interior appropriations bill established a site office in Metairie, Louisiana to provide the oil and gas industry, especially the independents, with greater access to the department's technical staff on oil and gas research.

Even though this office has been staffed, I am very concerned about the speed with which the office is being given program responsibilities.

Will you look into this matter and give it your immediate attention so that we can see that the office is fully operational within the next few months?

Mr. GENTILE. I certainly will, Mr. Chairman.

The CHAIRMAN. Thank you very much, Mr. Gentile.

Now, Mr. Bartlett, as you know, this committee has been at the forefront of nuclear waste matters. We are very interested in it. It is one of the most vital issues facing the country, and your position is one of the most important facing the country in terms of someone who can make a difference for good or for ill.

I think the attitude of some people in the past with respect to nuclear waste is to take the path of least resistance—do not step on anybody's toes—and in the process we have spent hundreds and hundreds of millions of dollars, and I think we wasted that money.

Now, this committee wants to see the nuclear waste program succeed. There is no alternative to a successful nuclear waste program. We have over 100 nuclear plants that will be producing waste. That waste must go somewhere. We must have a successful program. Just to say we are going to let the program drift and continue to spend hundreds of millions of dollars a year, the program will not go away. I mean, the problem will not go away. The problem must be dealt with.

Are you prepared to have enough backbone to stand up to the various forces and to do what is right. If you find that Nevada is not the right place to put the waste, are you prepared to stand up and say no, this is not the scientifically correct place to put the waste?

Mr. BARTLETT. I am indeed, Mr. Chairman.

The CHAIRMAN. And conversely, are you prepared to get the program moving and in the face of opposition from Nevada or any

other place, whether it be MRS or a permanent repository, are you prepared to stand up and get the job done?

Mr. BARTLETT. Yes, indeed, Mr. Chairman.

The CHAIRMAN. With respect to that, we are very concerned about the failure to sink shaft in Nevada. You are not going to find out whether the place is suitable or not until you sink a shaft, and it seems that year after year after year, month after month, hundreds of millions of dollars go into paper studies and no shaft.

Now, there is now a recommendation, as I understand, to hold off until November of 1992 before sinking that shaft. Frankly, I find this to be a huge waste. I mean, coming on top of all the delay we have already had, the unnecessary delay, can you give me your opinion on this approach of waiting until November of 1992?

Mr. BARTLETT. Well, I think, Mr. Chairman, that there is opportunity to start site preparation work for the shaft virtually as soon as we have access to the site.

The base line effort has been accomplished or will soon be completed so that we would have opportunity to begin the shaft as soon as we can have access to the site.

The CHAIRMAN. And how are you going to get access to the site?

Mr. BARTLETT. At the moment, as you know, Mr. Chairman, there is legal action to obtain the permits that would be required to gain access, and access would be gained, presumably as soon as that process is completed.

The CHAIRMAN. Well, is there a way to speed that up?

Mr. BARTLETT. There is a possibility that the department might take action to seek legislation to speed the process up, but I am not aware of what the status of any such action would be.

The CHAIRMAN. But you do not have a plan yet as to how you would sink the shaft. It seems to me you cannot ask for legislation when you have no plan.

Mr. BARTLETT. I am not aware of the status of the plans at this time, Mr. Chairman.

The CHAIRMAN. Well, you cannot answer that basic question of whether Nevada is suitable or not until you sink the shafts.

Mr. BARTLETT. That is correct.

The CHAIRMAN. Suppose it turns out not to be suitable? From everything we have been told, there is a high expectation that it will be suitable, but it may not be, and we do not want to prejudge that issue. And if you wait and wait and wait to sink the shaft and then you sink it and for some reason you find it is not suitable, then we are really in the soup. Then you have got to start the whole process all over again. And at the rate this thing is going, it will be the 22nd century before we will ever get anything done.

I hope you will proceed quickly. I can tell you that the Energy and Water Appropriations Subcommittee which I chair and Senator McClure is on that, is not going to continue to just send hundreds of millions of dollars out to a program that is nothing but paper studies.

How much have we spent on that program yet?

Mr. BARTLETT. Over $2 billion so far.

The CHAIRMAN. I find that just scandalous. It is incredible to me that a very good proportion of $2 billion is wasted, and nobody says

a thing. They say oh, well, that is the bureaucracy at its best. Well, it is not.

That is scandalous waste, and that is why I just cannot be strong enough in my advice to you that it is your responsibility now. You have got the scientific background. You know what you are doing. You have had all the appropriate training. It is up to you to get this program going.

We are here to give you what you need, but believe me, just by following the path of least resistance you are not going to be everybody's friend. You are just not.

Now, while we are on that subject, you have been roundly criticized by my colleagues for some comments you made. I would like to give you an opportunity here to defend yourself. Would you say what you said, why you said it, what you meant, either why you were correct or you can apologize.

Mr. BARTLETT. No, Mr. Chairman, I do not apologize. The technical paper which was referred to was discussing the development of the NRC's rules for suitability, evaluation and licensing in high level waste disposal in the face of imperfect information, and the paper was emphasizing the aspects of imperfect information data, which are not fully capable of developing a statistical distribution and models which are not fundamental, a very common situation.

And the paper pointed out that rule development under this situation is, in fact, a very common situation and that it is entirely possible and often found that good rules are developed in the face of imperfect information using sound judgment and comprehensive inputs from interested parties.

And the thesis of the paper was that the program needs to get on with the effort associated with the development of the rules for disposal and site evaluation because they are not in place. There are very complex issues involved.

Many interested parties have to be participants to the process of developing the basis for the rules which NRC would establish. That, in a nutshell, is what the paper is about, Mr. Chairman.

The CHAIRMAN. You were saying, in effect, that it is not possible to know with 100 percent scientific accuracy what will happen geologically to any site during a period of 10,000 years; that the best you can do is bring scientific judgment based on a whole body of knowledge which is the scientific method that is used constantly on other scientific decisions. Is that basically what you said?

Mr. BARTLETT. Yes, it is. That is correct.

The CHAIRMAN. Is that a safe way to do it?

Mr. BARTLETT. Indeed it is.

The CHAIRMAN. Can you give us examples of other scientific judgments involving life and limb where scientific judgments as opposed to absolute scientific accuracy—I mean 100 percent accuracy—where judgments are made on that basis?

Mr. BARTLETT. I would be glad to. I can cite the example I cited in the paper which is every time the Environmental Protection Agency sets regulations for allowable concentrations of chemicals in the work place, for example, they are doing exactly the same thing that I talked about. You do not have perfect data as a basis for the rules that are established, but you have a lot of background consensus capability and knowledge which is exercised as judgment

to develop good rules for public safety under the circumstances, and it is the kind of thing that is done all the time in the government in situations like this.

The situations where you can have perfect information, where the data tells you the answer are very, very few and far between.

The CHAIRMAN. Now, Mr. Bartlett, when we were fashioning the Nuclear Waste Policy Act, the original one as well as the amendments to the Nuclear Waste Policy Act, we heard reams of testimony from what we considered to be the best people in the business that managing—management of nuclear waste is, as a scientific matter, not that difficult to do safely.

It is expensive. You must exercise a huge amount of care, but as a scientific challenge, it is one that you can meet the challenge with knowledge that we have now. Would you agree with that?

Mr. BARTLETT. Yes, I do.

The CHAIRMAN. I would hope that we can get the potential host states and Nevada is only a potential host state, although clearly it has been designated as the first area to be characterized, and if found suitable will be the host state for the waste repository.

But I would hope Nevada would recognize, first of all, that as a scientific challenge, it is one that can clearly be met.

Secondly, that it is not one that can be defeated on a political basis because if Nevada can defeat nuclear waste on a political basis, then so can every other state, and then you would be put in a position where there is no place to put the waste, and as the old saying goes, everybody has got to be somewhere, and the waste has to be somewhere, and we have got to have a waste program.

I wish that they would work with us. This committee has certainly shown its good faith. We reported legislation to give to Nevada, a lot of money. To be sure, it was regarded as a bribe, an unwelcome bribe, but if you are going to have the repository, I would say it is a lot better to have the money to go with it than not have the money, and I think it showed the good faith of this committee.

But those comments I make are really to Nevada as well as to you to say that we want to work with you and with Nevada, but the program must go on.

Senator McClure.

Senator MCCLURE. Thank you very much, Mr. Chairman.

I welcome both of you before this committee. I commend the President for having made these nominations. I have joined with many others in being somewhat critical of personnel policy because it has taken too long, but you are here, and I will not belabor the fact that you should have been here six months ago. I suspect both of you would have been happier had you been here six months ago. I look forward to working with you.

I guess the only real question I have, Dr. Bartlett, is why do you want the job.

The CHAIRMAN. He wants to be everybody's friend. [Laughter.]

Mr. BARTLETT. May I answer the question?

Senator MCCLURE. Surely. I am serious.

Mr. BARTLETT. For the same reason the committee is interested in seeing the program objectives accomplished.

Senator McCLURE. You are a scientist. You have impeccable credentials, and yet the job you have is not nearly so much scientific as it is psychological, political.

There is nothing in your background that tells me you are going to sweet-talk the Governor of Nevada into liking it.

Mr. BARTLETT. First of all, I believe the core of the program, the technical effort must be absolutely impeccable in every respect so the program operates technically on merit. And then around that, as I indicated in my written statement and on my oral statement, I believe working the people interfaces associated with that is an extremely important part of the program.

And you may have noticed in my credentials I have served some terms of public office, and I think more than most technical people I am sensitive to some of those issues, as you are, and I would hope that would help me with that part of the program, to be as effective as the technical program.

Senator McCLURE. I appreciate the statement, and I salute the fact that you are aware that it is those interfaces that are causing the greatest difficulty.

The technical problems are not nearly as difficult, at least they have some means to resolve the technical questions, and we are going to have to find a way to solve the others.

I have no illusions about the ease or difficulty of that task. I think it is formidable, but it also must be done, and I share with the Chairman the feeling that we have not moved as positively as we should have to this point.

I say that carefully because I do not want any of us to have the idea we should ignore the interest or concerns of those who are concerned about this problem or the people who are directly affected by it who have special interest in it.

But, there are some people that I am convinced do not want this program to be successful, and they will do anything they can to inhibit its success. We may have made a mistake. We passed a bill, which I supported then and support now, which provided funding for this program at the expense of the utility users, who pay the bill because as an open-ended commitment, the money is flowing in, it is large money, and there does not seem to me to be the rate of progress that is justified.

The Chairman talked about it as being a scandal. I think it is certainly one of those things about which none of us can be very proud, those of us on the legislative side that created the statute, provided the money, those on the administrative side that spend the money and have so far produced very little in terms of concrete results. I will not say nothing, but I will say it does not match the expenditure.

Knowing how difficult it is, I salute you for wanting the job, although some people would say that is an indictment of your mentality.

[Laughter.]

Senator McCLURE. And I really do. I commend you for the spirit in which you are taking the job and approaching it and will look forward to working with you as we can to help you get that job done for the benefit of everyone in this country.

Mr. Gentile, I have no questions at this time. I think there are great challenges. Obviously, we are right in the middle of the Clean Air Act, and I am tempted to ask you how you would write it, but I am not going to ask you that. You would never be confirmed if you answered it.

Mr. GENTILE. Thank you, Senator.

Senator MCCLURE. And I do look forward to working with you on the several challenges that are involved in that field and the several fields that intersect in areas of your responsibility.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Burns?

Senator BURNS. Thank you. I will not take a lot of time this morning. I appreciate you two fine young gentlemen appearing before this Committee on a subject that I think is near and dear to this country.

We are continuing to see our oil imports go up and right now amount to about half of our balance of trade payments. Of all the prognostications that I have seen, this will continue to rise and this is of great concern to me.

Mr. Gentile, you are working in an area which—I will be very parochial here, too—that really touches the hot button as far as Montana is concerned. In articles that you have written and the statements that you have made, I welcome your approach environmentally to surface mining and this type of thing, and the environmental things that concern you. In Montana I think we have done a good job in reclamation. In fact, I think we have several areas that stand as examples that reclamation does work and should be furthered.

I have no questions for Mr. Bartlett, because atomic energy, that came along after me, but there are a lot of related subjects to this business of coal. We know we have great reserves of coal and I agree with you, coal and related sources will be a part of the energy mix as we go on down the road in this energy thing.

I have a strong interest in the MHD program which is located at Butte, Montana, and for the past years MHD has had a very nice working relationship with the Department of Energy, and I would ask you at this time, do you expect to maintain that dialogue and that spirit of cooperation there?

Mr. GENTILE. Certainly, MHD is one of the more interesting technologies, a little further-reaching technology, and I would hope to maintain a dialogue, yes, sir.

Senator BURNS. Do you see MHD fitting in right now as part of the debate on the Hill on clean air?

Mr. GENTILE. The MHD technology offers certain very exciting advantages. The challenge is, bringing it up to speed commercially, and that challenge is still ahead of us.

Senator BURNS. It sure is. I applaud you for taking on this tremendous task that you have in front of you.

I would like to at this time to invite you to Montana. I think you have been out there before. I think you visited not only the MHD site—have you visited the reclamation that has been going on in southeast Montana?

Mr. GENTILE. Yes, I have, Senator, quite often. In both Montana and that part of Wyoming, also.

Senator BURNS. Just to reiterate a point here, that land that was strip mined and then was reclaimed and seeded back, the carrying capacity for agriculture after they reclaimed it is almost increased a third—new grasses, new technologies. So it can be done, and we are doing it, and we appreciate your effort on that and your leadership on that. I know you come from a coal country that has the same problems that we do.

Thank you very much for coming this morning, and I appreciate that, and good luck to you.

The CHAIRMAN. Thank you very much, Senator Burns. There will be additional questions, and for members of the Committee, questions should be in by 5 p.m. today, and give those to Becky Murphy of the Energy Committee staff.

Gentlemen, thank you very much for your testimony. I hope we can deal with this with some expedition. Certainly we will in the Committee, and I hope on the floor.

[Whereupon at 10:45 a.m., the hearing was adjourned.]

[The following letter was received for the record:]

NATIONAL
COAL
ASSOCIATION

RICHARD L. LAWSON
President
(202) 463-2647

SENATE COMMITTEE
ENERGY AND NATURAL RESOURCES
RECEIVED
FEB 2 1990
WASHINGTON, D.C. 20510

COAL

February 2, 1990

Senator J. Bennett Johnston
Chairman
Senate Energy and Natural
Resources Committee
Room SD-364, United States Senate
Washington, DC 20510

Dear Senator Johnston:

On February 5, the Senate Energy and Natural Resources Committee will hold a hearing on the President's nomination of Robert Gentile to be Assistant Secretary for Fossil Energy at the Department of Energy. The coal industry encourages you to support confirmation of the nominee and expeditious consideration of the nomination before the Committee and the full Senate.

Over the coming decade our nation will face energy challenges unparalleled in the history of our country. Oil imports are increasing to historic levels while domestic production continues to decline; a power generation shortfall between 80 and 100 gigawatts is projected by the year 2000; all energy industries will be challenged simultaneously by the demands emanating from environmental concerns.

Energy is the fundamental underpinning of our, and the world's, economy. Fossil energy accounts for over 85% of energy use in the United States. As our nation seeks to fulfill its energy needs within environmental parameters, it is important to have an individual in place to assist the Secretary of Energy in guiding the Department's efforts in this area.

We have every confidence that Bob Gentile will be equal to that task.

Sincerely,

Dick

Richard L. Lawson

1130 Seventeenth Street, N.W.
Washington, D.C. 20036-4677
(202) 463-2625

APPENDIXES

APPENDIX I

Information Statement of the Nominees

UNITED STATES SENATE

COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Gentile (LAST) Robert (FIRST) Henry (OTHER)

Position to which nominated: Assistant Secretary for Fossil Energy, Department of Energy

Date of nomination:

Date of birth: 02/05/44 (DAY) (MONTH) (YEAR)

Place of birth: Steubenville, Ohio

Marital status: Single

Full name of spouse:

Name and ages of children:

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Institute for International Commerce, Univ. of Michigan	1976	Certificate	1976
Colorado School of Mines	1975	Certificate	1975
Tavistock Institute Amherst University	1970	Certificate	1970
University of Toledo	1966-1969	MBA	1969
Franciscan University	1963-1966	BA	1966
Univ. of Notre Dame	1962-1963	None	--
Catholic Central High	1958-1962	Diploma	1962

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

See Attachment #1

1

Employment record—Continued

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Dean's List
President, Greek Council
President, Interfraternity Council
Alpha Chi Rho Vice President
Secretary's Award for Exceptional Service (from Secretary Hodel, Department of the Interior, 9/16/88)

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
See Attachment #2		

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

1. "Patrick Henry Revisited" - Landmarc Magazine - May/June 1988.
2. "OSM Legislative Initiatives Promote Better Reclamation" - Kentucky Coal Journal - September 1988.
3. "Responsible Surface Mining is the Rule, Not the Exception" - Coalfield Progress - October 11, 1988.
4. "The Reclamation Time Warp" - Kentucky Coal Journal - November 1988.
5. "Looking at Oversight" - Lexington Herald-Leader - May 11, 1989.

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Yes.

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No.

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No.

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N/A.

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No.

Financial statement

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None.

3. Are you currently a party to any legal action? If so, describe its nature and status.

No.

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No.

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes.

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No.

Potential conflicts of interest

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

General Energy Resources & Technology Corporation.

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None.

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

None.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes.

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

I would divest of the General Energy Resources & Technology Corporation and any other interest causing the conflict or would take whatever other corrective action that would be appropriate.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

I would divest of the interest causing the conflict or would take whatever other corrective action that would be appropriate.

Public disclosure. Do you have any objections to this form and the attachments thereto being made public?

No.

AFFIDAVIT

I, Robert H. Gentile, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

(Signature of Nominee)

Subscribed and sworn to before me this 31st day of JANUARY, 1990

Notary Public

My Commission Expires April 30, 1990

Form approved by the Committee February 5, 1985.

ATTACHMENT #1

EMPLOYMENT RECORD:

A. Title: Consultant, Office of Fossil Energy

Description of Position: Consultant, Federal Agency

Name of Employer: U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dates of Employment: August 1989 to Present

B. Title: Director, Office of Surface Mining Reclamation and Enforcement

Description of Position: Director of Federal Agency

Name of Employer: U.S. Department of the Interior
1951 Constitution Avenue, N.W.
Washington, D.C. 20240

Dates of Employment: November 1988 to August 1989

C. Title: Acting Director, Office of Surface Mining Reclamation and Enforcement

Description of Position: Acting Director of Federal Agency

Name of Employer: U.S. Department of the Interior
1951 Constitution Avenue, N.W.
Washington, D.C. 20240

Dates of Employment: March 1988 to November 1988

D. Title: Deputy Director, Office of Surface Mining Reclamation and Enforcement

Description of Position: Deputy Director of Federal Agency

Name of Employer: U.S. Department of the Interior
1951 Constitution Avenue, N.W.
Washington, D.C. 20240

Dates of Employment: March 1988

E. Title: Liaison for Coal Affairs

Description of Position: Special Assistant to the Assistant Secretary for Land and Minerals Management

Name of Employer: Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
18th & C Streets, N.W.
Washington, D.C. 20240

Dates of Employment: October 1986 to March 1988

F. Title: Executive Vice President/Chief Operating Officer

Description of Position: CEO of Coal Mining Company

Name of Employer: Ohio River Collieries
Box 128
Bannock, OH 43972

Dates of Employment: June 1982 to October 1986

G. Title: President

Description of Position: CEO of a Coal Mining and Construction Company

Name of Employer: N&G Construction
Route 1
Bloomingdale, OH 43910

Dates of Employment: September 1975 to June 1982

H. Title: Consultant

Description of Position: Managerial Consulting

Name of Employer: Lafferty Trucking Company
Box 128
Bannock, OH 43972

Dates of Employment: June 1975 to September 1975

I. Title: Unemployed

Description of Position: Leave of absence/unemployed

Name of Employer:

Dates of Employment: January 1975 - June 1975

J. Title: Acting Deputy Director/Director of Training

Description of Position: Federal Government Manager

Name of Employer: ACTION (Peace Corps)
Washington, D.C. 20525

Dates of Employment: July 1973 to January 1975

K. Title: Peace Corps/Brazil Management

Description of Position: Federal Government Manager

Name of Employer: ACTION (Peace Corps)
Washington, D.C. 20525

Dates of Employment: August 1972 - July 1973

L. Title: Peace Corps/Headquarters Management

Description of Position: Federal Government Manager

Name of Employer: ACTION
Washington, D.C. 20525

Dates of Employment: May 1972 to August 1972

M. Title: Peace Corps/Headquarters Management

Description of Position: Federal Government Manager

Name of Employer: ACTION (Peace Corps)
Washington, D.C. 20525

Dates of Employment: November 1970 to May 1972

N. Title: Peace Corps/Headquarters Management

Description of Position: Federal Government Manager

Name of Employer: ACTION (Peace Corps)
Washington, D.C. 20525

Dates of Employment: January 1970 - November 1970

ATTACHMENT #2

MEMBERSHIPS

Organization	Dates	Office Held (if any)
National Coal Council	4/85 to 10/86	Director
Mining & Reclamation Council	6/78 to 10/86	Vice Chairman/ Director
Ohio Coal & Energy Association	9/84 to 10/86	Director
Jefferson County Mental Health Board	1977 to 1988	Chairman/Director
Alpha Chi Rho Fraternity	1963 to Present	Various Offices
Vianney Center	1984 to 10/86	Vice Chairman
National Rifle Association	1984 to Present	None
National Geographic Society	? to Present	None
Smithsonian Associate	? to Present	None
National Trust for Historic Preservation	1988 to Present	None

Department of Energy
Washington, DC 20585

JAN 29 1990

Mr. Donald E. Campbell
Acting Director
Office of Government Ethics
1201 New York Avenue, N.W., Suite 500
Washington, DC 20005-3917

Dear Mr. Campbell:

This letter transmits to you, in accordance with 5 C.F.R. § 734.604(c)(2)(iii), a copy of the Standard Form 278, "Financial Disclosure Report," filed by Robert H. Gentile incident to his nomination to the position of Assistant Secretary for Fossil Energy, U.S. Department of Energy. A position description is attached to the form.

I have also enclosed a copy of the statement provided to Mr. Gentile, advising him of statutory and other restrictions applicable to his anticipated service as Assistant Secretary. This advice is based upon a review of the interests disclosed in his Standard Form 278. I encountered no problems in reaching the conclusions upon which my certification on the form is based.

Sincerely,

Ralph D. Goldenberg
Assistant General Counsel for
General Law

Enclosures

DOE F 1325.8
(8-89)

United States Government | Department of Energy

memorandum

DATE: JAN 29 1990

REPLY TO ATTN OF: GC-43

SUBJECT: Statement of Agency Ethics Official for Senate Committee

TO: Robert H. Gentile

This memorandum is intended to serve as a statement from the designated agency ethics official for this Department, as required by the Statement for Completion by Presidential Nominees that you are submitting to the United States Senate Committee on Energy and Natural Resources in connection with your nomination to the position of Assistant Secretary for Fossil Energy. I have reviewed your Standard Form 278 (Financial Disclosure Report) dated July 28, 1989, and your Form DOE-460 (Report on Prior Employment) which was received by this office on August 15, 1989, and have certified that the information contained therein discloses no conflict of interest under applicable laws and regulation.

As a supervisory employee, you will be prohibited by section 602(a) of the Department of Energy (DOE) Organization Act (Pub. L. No. 95-91) from knowingly receiving compensation from, holding any official relation with, or having any pecuniary interest in any energy concern. The term "energy concern" is defined in section 601(b) of the Act as any entity "significantly engaged in the business" of any of a variety of activities related to energy production, distribution, sale, or research and development, or any entity significantly engaged in such research and development pursuant to a DOE-funded program irrespective of whether it otherwise engages in such business. The term also includes any entity holding an interest in property from which an energy resource is commercially produced or obtained.

You have advised this office that you own approximately 200 shares of common stock in General Energy Resources and Technology Corp. The value of this stock is less than $1,000 and you received no income from the stock during calendar years 1988 and 1989; therefore, you did not list this stock as an asset on your SF 278 because the value of and income from the stock were below the threshold amounts for reporting. General Energy is, however, an energy concern within the meaning of section 601(b) of the DOE Act. Accordingly, you have agreed to divest of this asset. Please inform this office in writing when the required divestiture action has been taken.

Section 208, title 18, United States Code, prohibits a Federal officer or employee from participating personally and substantially, as a Government employee, in any particular matter in which, to his knowledge, he has, or his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment has, a financial interest. Accordingly, you should avoid participation in any particular matter the outcome of which could have a direct and predictable effect upon such financial interests.

In addition, Executive Order 12674 signed by President Bush on April 12, 1989, prohibits an employee appointed by the President to a full-time noncareer position in the executive branch from receiving any earned income for any outside employment or activity performed during that Presidential appointment.

Please let me know if I can be of further assistance.

Ralph D. Goldenberg
Assistant General Counsel
for General Law

SF 278 (Rev. 1/87)
5 CFR Chapter 73
U.S. Office of Personnel Management

Financial Disclosure Report

Form Approved
OMB No. 3209-0082

Reporting Status (Check Appropriate Box)		Agency Use Only	OGE Use Only	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (If Applicable) (Month, Day, Year)
☐ Incumbent	☒ New Entrant, Nominee, or Candidate ☐ Termination Filer	JAN 26 1990			

Reporting Individual's Name	Last Name: Gentile	First Name and Middle Initial: Robert H.
Position for Which Filing	Title of Position: Assistant Secretary - Fossil Energy	Department or Agency (If Applicable): Department of Energy
Location of Present Office	Address (Number, Street, City, State and ZIP Code): 1951 Constitution Avenue, N.W. Washington, D.C. 20240	Telephone No. (Include Area Code): 202-343-4006
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Director, Office of Surface Mining, Dept. of Interior - 11/88 to Present Acting Dir., Off. of Surface Mining, Dept. of Interior - 3/88 to 11/88	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Energy and Natural Resources	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No

Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual: Robert H. Gentile	Date (Month, Day, Year): JUL 28 1989
Other Review (If desired by agency)	Signature of Other Reviewer:	Date (Month, Day, Year):
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations	Signature of Designated Agency Ethics Official/Reviewing Official: Roger D. Zelenburg	Date (Month, Day, Year): 1/29/90
Office of Government Ethics Use Only	Signature:	Date (Month, Day, Year):

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A (except for BLOCK D), C, and D. (Candidates do not file Part II of Schedule D.

- **Schedule A**—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Mr. Gentile has advised that the information contained in this report is current as of 1/31/90 RJJ

(Check box if comments are continued on the reverse side) ☐

PREVIOUS EDITION USABLE

378-110

NSN 7540-01-070-8444

49

SF 278 (Rev. 7/87)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved:
OMB No. 3209-0016

Reporting Individual's Name	Assets and Income	Page Number		Schedule A
Robert H. Gentile			2	

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

* investment income only

	BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets								BLOCK C Income																BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)								Type of Income (X)							Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss	
		None (or less than $1001)	$1,001 $15,000	$15,001 $50,000	$50,001 $100,000	$100,001 $250,000	Over $250,000			Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust			None (or less than $101)	$101 $1,000	$1,001 $2,500	$2,501 $15,000	$15,001 $50,000	$50,001 $100,000	$100,001 $250,000	Over $250,000			YES	NO
S or DC	Examples: X Y Z Common / Doe Jones & Smith, Hometown, USA			X						X							ptnrship income			X						$50,000			
1	Lafferty Trucking Company Bannock, OH				X					X							Director Fees	X											
2	Lafferty Trucking Company Bannock, OH (resigned 3/84) (mv: 1-24-90)																												
3	Bart Enterprises Bannock, OH (General Partner (Family) - real estate)				X												Partnership Income				X					1985 - $205 7A 1984 - 0			
4	Sole owner of undeveloped land in Steubenville, OH		X														Investment	X									(mv: 1-24-90)		
5	First Investors Fund for income		X							X									X										
6	Residence, Snug Harbor Steubenville, OH							X			X												X						
7	Common stock - Bob Evans, Rio Grande, OH		X							X									X										
8	Common stock - Cincinnati Microwave, Cincinnati, OH	X								X								X											
9	(radar detectors) (mv: 1-24-90)																												
10																													

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278-210

SF 278 (Rev. 1-87)
Part I Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0006

Reporting Individual's Name
Robert H. Cristle

Page Number	3	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

S or DC	Example	Identification of Asset	Type of Transaction (X) Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X) $1,001 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	Over $250,000
1		X Y Z Common	X			2/1/83			X			
2		not applicable (DCs 1-29-90)										
3												
4												
5												
6												

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only:
Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. **Exclude** transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), **exclude** gifts from relatives and **exclude** gifts of $35 or **less** when aggregating them for the total from one source. **See** instructions for further exclusions.

NONE ☐

S	Example	Source (Name and Address)	Brief Description	Value
	Example	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 8/15/83	$500
	Example	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1		not applicable (DCs 1-29-90)		
2				
3				
4				
5				
6				

PREVIOUS EDITION USABLE

278-109

SF 278 (Rev. 1/87)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0582

Reporting Individual's Name

Robert H. Gentile

Page Number	14	Schedule C

Part I
Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

		Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X) $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
S or DC	Examples	First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware	1981	13%	25 yrs.			X		
		John Jones, 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
	1	Bank One, Steubenville, OH	Credit Card & Line of Credit	1984	Prime + 2%	Annual	X				
	2	Ohio Valley Savings & Loan, Steubenville, OH	Mortgage on residential property	1978	8%	Annual				X	
	3	Unibank, Steubenville, OH	2nd mortgage on residential property	1984	Prime	Annual		X			
	4	Mo. M. Bank, Steubenville, Ohio (Liability of East Enterprises)	Mortgage on office bldg., Cannonsburg, Ohio	Oct 1, 1971	7.5%	20 yrs.	X				
	5	Tony Gentile (Gino's father) (Liability of East Enterprises)	Mortgage on Apartment, Youngstown, Pennsylvania	7/83	7.75%	30 yrs.	X				
	6										

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☒

	Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example	Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town USA	7/78 pinership agmnt

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278-1

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SF 278 (Rev. 1/87)
- Part I Page 7.34
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0087

Reporting Individual's Name

Robert H. Gentile

Page Number	45	Schedule D

Part I
Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution.

Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☐

Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples: Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/83
Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/78	11/83
Bart Enterprises, Bannock, OH	Partnership	(General Partner - NO ** Partner outside earned income) per 1-29-90	9/75	Present
Jefferson County Community Mental Health Board Steubenville, OH	Non-profit Mental Health	Board Member	4/76	12/88
Lafferty Trucking Company, Bannock, OH	Trucking Company	Director & Officer	1/87	3/89
	**	Mr. Gentile has advised that he is not a managing partner of BART Enterprises and that he receives investment income only (see 1-31-90)		

Part II
Compensation in Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☒

Source (Name and Address)	Brief Description of Duties
Examples: Doe Jones & Smith, Hometown, USA	Legal services
Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction

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278-109

Executive Level Position Statement

Position Title: Assistant Secretary for Fossil Energy

Grade: EL-IV - Presidential Appointee

The Assistant Secretary for Fossil Energy is responsible for formulating and directing a comprehensive national program to develop and demonstrate coal, shale, oil, and natural gas technologies. The program includes 2,500 contractors with industries, universities, research centers, state and local governments in synthetic fuels from coal and oil shale, mining, combustion, enhanced oil and gas recovery. Directs the efforts of over 1,000 Engineering/Sientific/Support Federal Personnel at Headquarters and Field Offices including two Energy Technology Centers and two Petroleum Reserves.

Represents the Secretary of Energy as his principal spokesman on U.S. Fossil Energy policy and program to the media, public interest groups, professional associations, industry associations, and individual companies. Testifies as a recognized expert on Fossil Energy to the Office of Management and Budget, and congressional committees of the House and Senate to justify the program and obtain budget allocation and program approvals. Works closely with senior officials of other government agencies, e.g., Department of Interior, Environmental Protection Agency, Department of Labor. Coordinates programs with senior executive officers of major coal, oil, gas, and utility industries and foreign and domestic mining equipment manufacturers.

Formulates and manages an extensive Federal research, development and demonstration (RD&D) program for the increased and improved recovery and use of fossil fuels through the commercialization of new technologies by U.S. industry. Provides programmatic direction and policy guidance for the national coal research program, including review, evaluation and funding.

Responsible for executing contracts for the design, construction and operation of coal liquefaction and gasification synthetic fuel plants. Promotes Government/Industry cost-sharing partnerships and arrangements in Fossil Energy technology development and demonstration.

Identifies need for and opportunities to decentralize day-to-day project management. Defines mission, role, responsibilities and structure of field elements in developing and maintaining an innovative technology base program in their assigned lead areas. Develops an organizational structure to strengthen project management, control, and overall program execution capability.

Manages and directs the Naval Petroleum Reserves and Oil Shale Program.

Manages and directs the construction, maintenance and operation of the Strategic Petroleum Reserves.

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Bartlett (LAST) John (FIRST) Wesley (OTHER)

Position to which nominated: Director, USDOE/OCRWM

Date of nomination: January 24, 1990

Date of birth: 18 October 1935 (DAY) (MONTH) (YEAR)

Place of birth: Camden, NJ, USA

Marital status: Married

Full name of spouse: Elaine V. (Wepplo) Bartlett

Name and ages of children: Larah E. 22; Tanya L. 20; Chris 21

Education:

Institution	Dates attended	Degrees received	Dates of degrees
University of Rochester	1953 - 1957	B.S.	1957
Rensselaer Poly. Inst.	1957 - 1959	M.ChE	1959
Rensselaer Poly Inst.	1959 - 1961	PhD	1961

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

1989 - Present - Consultant to Secretary, USDOE

1978 - 1989 The Analytic SciencesCorp. (TASC), Reading, MA, Manager, Nuclear Technology - directed energy and environment programs, including numerous high-level radioactive waste projects.

1969-1978 Battelle Pacific Northwest Laboratories, Richland, WA, Manager, System Studies, Nuclear Waste Technology Program Office. Directed analytic and institutional high-level waste programs within the office.

1962-1969 University of Rochester, Rochester, NY, Chemical

Employment record—Continued

Engineering Department faculty; teaching and research.

1957-1962 Knolls Atomic Power Laboratory, Schenectady, NY, Design engineer, USS Bainbridge prototype.

1974 Presidential Exchange Executive, National Bureau of Standards
PLEASE SEE ATTACHMENT A

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Bausch & Lomb Scholar; GE Fellowship for graduate studies;

NDEA and NIH research grants; AEC summer research fellowship;

Member of Sigma Xi and Phi Lambda Upsilon; Fulbright Professor.

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
American Nuclear Society	1968 - present	Executive Committee
Am. Inst. of Chemical Engineers	1962 - 1980	----------
Rotary International	1975 - 1982	Director

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

See Atachment B

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Since presently a consultant to Secretary of Energy, will continue service to USDOE

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

Not Applicable

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

TASC stock holdings will be sold back to the company in May 1990. Proceeds ($270,000 les tax) will be invested in IRA. TASC retirement fund account ($260,000) will be released to me in May 1991 and will be rolled over into an IRA account.

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

TASC profit sharing fund and common stock. See page 6, item 5 for resolution.

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

None

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

As indicated in the attached ethics memorandum, I will recuse myself from participation in any particular matter that could have a direct and predictable effect on TASC until I have received all amounts owed me.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

I would report any potential concerns to appropriate authorities at DOE and would then follow the advice of the Agency Ethics official.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

AFFIDAVIT

DISTRICT OF COLUMBIA) ss

I, John W. Bartlett, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

John W. Bartlett
(Signature of Nominee)

Subscribed and sworn to before me this 31st day of January, 19 90

Sheryl D. Arrington
Notary Public

My Commission Expires November 14, 1990

Form approved by the Committee February 5, 1985.

Attachment A

Employment record--continued

1969 Fulbright Professor of Nuclear Engineering, Istanbul Technical University, Istanbul, Turkey.

John W. Bartlett

List of Publications

1. "The Critical Point in the Drying of Beds of Particulate, Non-porous Solids," Ph.D. Thesis, Renesselaer Polytechnic Institute, October, 1961. Directed by Stephen Yerazunis.

2. KAPL-M-JWB-1, "Absorption of Air in PTR Water," 1957 (AEC Classified).

3. KAPL-M-JWB-2, "Tritium Activities in DIG," 1958 (AEC Classified).

4. KAPL-M-JWB-3, "Status of the Prediction of Activity Buildup in Inconel Systems," 1959 (AEC Classified).

5. "A Mechanistic Description of Corrosion Product Transport Processes in Nuclear Reactors," 1959. KAPL internal document.

6. "KAPL-M-DIC-ER-S-A5-13.1, "Precritical Reference Corrosion Test," 1962. (AEC Classified).

7. "THE DIG Corrosion and Accessibility Program, 1963. KAPL internal document. (AEC Classified).

8. KAPL-M-NCT-18, "Evaluation of Conditions to Minimize High Temperature Water Corrosion Products from Inconel," with G.E. Galonian, 1963.

9. "Packing of Binary Mixtures of Spheres and Irregular Particles," Nature, 195, 33, July 7, 1962. With S. Yerazunis and A. H. Nissan.

10. KAPL-M-NCT-ER-444, "Corrosion Products Transport," with F. J. Witt, 1963.

11. KAPL-M-6221, "Radioactivity Buildup on Reactor Plant Surfaces," 1964. (AEC Classified)

12. KAPL-M-REO/NCT-38, "An Evaluation of Corrosion Product Deposition," with S. L. Williams, et al., 1965 (AEC Classified).

13. Section 9, "Nuclear Engineering," of Engineers' Manual, 2nd ed., R. M. Perry, ed., with O. H. Gailer and S. McLain.

14. "Physiological Processes and Dynamics in the Disposition of Small and Large Doses of Biologically Active and Inactive 131I Insulins in the Rat, with J. L. Izzo, et al., J. Biol. Chem., 242, 2343 (1967).

15. "Dispersion of Corrosion Products From a Film-Forming Metal Exposed to an Aqueous Stream," with C. M. Mills and T. J. Kabele, published in NACE Symposium Series, 1967.

16. "Suggested Program for Research on Corrosion Product Technology of Water Cooled Nuclear Reactors," Battelle Northwest Laboratories Report, November 1967.

17. "Theory of Corrosion Product Generation, Dispersion, and Activation Processes," Battelle Northwest Laboratories Report, BNWL-676, May 1968.

18. "Analysis and Interpretation of Short-Lived Corrosion Product Activities in DIG," KAPL Classified report.

19. "Coolant Sampling Techniques and the Significance of Coolant Corrosion Product Activities," KAPL classified report.

20. "Transport and Accumulation of Corrosion Product Activity on Reactor Surfaces," KAPL classified report.

21. "Radioactivity Buildup in Reactor Components," Power Engineering, p. 36, February 1969.

22. "Insulin-Glucose Dispersion and Interaction System--Liver Control Mechanisms," Arch. Int. Med. 123, 272 (1969) with J. L. Izzo.

23. "Stochastics of Coolant Crud," Trans. Am. Nuc. Soc., June 1969.

24. "Effects of the Fluid Regime on the Deposition of Iron Corrosion Products," Trans. Am. Nuc. Soc., June 1969, with T. J. Kabele.

25. "Deposition of Iron Corrosion Products in an Aqueous Stream," AIChE Symposium Series - Water - 1969, with T. J. Kabele

26. "Bed Drying of Particulate Solids, Part I: Capillary Phenomena in Bed Drying," submitted to AIChE Journal February 1970, with D. H. Lester.

27. "Bed Drying of Particulate Solids, Part II: A Model for Bed Drying of Particulate Solids," sumitted to AIChE Journal, February 1970, with D. H. Lester.

28. "Degradation of 131I-Insulins by Rat Liver.," J. Biol. Chem., 247, 1219 (1972) with J. L. Izzo, et al.

29. "Budgets That Sell," an internal memo for NBS describing improved methods for preparing R&D budgets. April 1974.

30. "Thinking Big," an internal memo for NBS describing comprehensive approaches to R&D program planning and development. June 1974.

31. "Assessment of the Nuclear Fuel Materials Measurement System," NBS internal report, July 1974.

32. "Standards in Action: The Role of Measurement Assurance," Trans. of the ANS, Vol 19, 1974.

33. "Ultimate Disposal - A Plan for Achievement," Proc. of Conf., Waste Management 75, Tucson, March 1975.

34. BNWL-1904 (DRAFT), "Research and Development Plans for Disposal of High-Level and Transuranic Wastes," with A.M. Platt, March 1975.

35. "Nuclear Waste Management-Problems and Prospects," Proc. of Workshop on Quantitative Environmental Comparison of Coal and Nuclear Electrical Generation and Their Associated Fuel Cycles, Mitre Corp., MTR-7010, August 1975.

36. "Alternatives for Radioactive Waste Management," Proc. of ANS Conf. on Nuclear Safety Tucson, October 1975.

37. "Energy Conversion," Chapter 9 of Engineering Manual, Thrid Edition, R. H. Perry, ed., 1976.

38. "The Role of Actinide Behavior in Waste Management," ACS Symposium Series Monograph 35, Actinides in the Environment, April 1976.

39. ERDA-76-43, "Alternatives for Managing Wastes from Reactors and Post-Fission Operations in the LWR Fuel Cycle" (5 volumes). Directed document preparation, authored several sections. May 1976.

40. Testimony on ERDA-76-43, before the JCAE Subcommittee, May 10, 1976.

41. "Partitioning - Friend or Foe?, Proc. of NRC Workshop on Radioactive Waste Partitioning, Seattle, June 1976.

42. "The Incentives and Technology for Partitioning," with H.C. Burkholder and E.J. Wheelwright, Proc. of the International Symposium on the Management of Wastes from the LWR Fuel Cycle, Denver, July 1976.

43. "Nuclear Waste Management: Options and Implications," Proc. of Conf on Public Policy Issues in Nuclear Waste Management, Chicago, October, 1976.

44. "Alternatives for Managing Post-Fission Nuclear Wastes," BNWL-SA-5835, with A.M. Platt, Dec. 1976.

45. "Radioactive Waste Management Technology," presented at AAAS Symposium on High-Level Radioactive Waste Management, Lansing, Dec. 1976.

46. NUREG-0116, "The Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle". Served as NRC consultant and author of two sections. January 1977.

47. "Risk Assessment Methods for Nuclear Waste Management Systems," with P.J. Pelto and T.H. Smith, Proc. of EPA Workshop on Issues Pertinent to the Development of Environmental Protection Criteria for Radioactive Wastes, Reston, February 1977.

48. "Remarks for the EPA Workshop on Environmental Protection Criteria for Radioactive Wastes," Proc. of Workshop, Reston, February 1977.

49. Testimony on risk assessment in radioactive waste management, before the California Energy Resources Conservation and Development Commission, March 1977.

50. "Report of the IAEA Study Project on Regional Nuclear Fuel Cycle Centres," IAEA publication; served as consultant; 1977.

51. "Safety Assessment of Geologic Repositories for Nuclear Waste," with H.C. Burkholder and W.K. Winegardner, Proc. of Conf. on Nuclear Systems Reliability Engineering and Risk Assessment, Gatlinburg, TN, June 1977.

52. "Perspectiveness on Risk Assessment for Radioactive Waste," with R.B. Goranson, Trans. of the ANS, Vol. 26, June 1977.

53. "Impacts and Issues for Radioactive Waste Management," Proc. of Symposium, AIME National Meeting, Denver, February 1978.

54. "Isolating Nuclear Wastes: The Alternatives, The Uncertainties, and the Public Policy Issues," Chapter in "Managing Radioactive Waste: Challenges for Policy and Action, Daniel Metlay, ed., to be published, Univ. Cal. Press.

55. "Correlation of Waste Types and Ground Disposal Techniques" - an international guide to be published by the IAEA (served as consultant and draft author).

56. "Unique Issues in HLW Disposal; Technical Report for the Electric Power Research Institute, 1986.

57. "HLW Repository Siting: Getting From Here to There With the Issues," Proceedings of Waste Management 1988, Tucson, AZ.

58. "Management Strategy for Site Characterization at Candidate HLW Repository Sites," Proceedings of Waste Management 1988, Tucson, AZ.

59. "Evaluation of Disposal Site Geochemical Performance Using a Containment Factor", with A. Lerman and P.A. Domenico, Proceedings of Waste Management 1988, Tucson, AZ.

JOHN WESLEY BARTLETT

Dr. John W. Bartlett is the Presidential Nominee for the position of Director, Office of Civilian Radioactive Waste Management (OCRWM), with the U.S. Department of Energy (DOE).

If confirmed for this position, Dr. Bartlett will be responsible for developing the Nation's waste disposal system for spent nuclear fuel and high-level radioactive waste, as mandated by the Nuclear Waste Policy Act of 1982, as amended.

Since November, 1989 Dr. Bartlett has served as a consultant to the Secretary of Energy. Prior to that he directed energy and environment work for The Analytic Sciences Corporation (TASC), Reading, Massachusetts. That work included detailed knowledge of high-level radioactive waste programs. Dr. Bartlett joined TASC after working with Battelle, Pacific Northwest Laboratories in Richland, Washington. There he was the Manager of System Studies in the Nuclear Waste Technology Program Office. Dr. Bartlett has also served on the faculty of the Chemical Engineering Department, University of Rochester, Rochester, New York and was a design engineer for the prototype of the USS Bainbridge at Knolls Atomic Power Laboratory, Schenectady, New York.

Dr. Bartlett was a Presidential Exchange Executive assigned to the National Bureau of Standards and a Fulbright Professor of Nuclear Engineering at Istanbul Technical University, Istanbul, Turkey. He is a member of Sigma Xi and Phi Lambda Upsilon honorary societies and has held numerous offices in the American Nuclear Society, including two terms on the Executive Committee of the Fuel Cycle and Waste Management Division.

Dr. Bartlett has been involved in various civic capacities. He was elected and served two terms on the Richland City Council, Richland Washington, and two terms on the Richland School Board. He has been a member of the Richland Community Concert Board and Rotary International and served three terms on the Conservation Commission of Lynnfield, Massachusetts.

Dr. Bartlett received his PhD. and Masters in Chemical Engineering from Rensselaer Polytechnic Institute and his Bachelor of Science degree in Chemical Engineering from the University of Rochester.

The OCRWM Director Nominee is a published author. He wrote the chapter on Nuclear Engineering for the second edition of Perry's Engineering Manual, as well as the chapter on Energy Conversion in the third edition. In addition, Dr. Bartlett has written numerous technical reports and papers.

Dr. Bartlett enjoys being a model shipwright and playing the piano. A native of Camden, New Jersey, he is married to the former Elaine V. Wepplo of Los Angeles. They have three children, Larah E., Tanya L. and Chris, all in their early twenties. Currently, the Bartletts reside in Lynnfield, Massachusetts.

January, 1990

Department of Energy
Washington, DC 20585

JAN 26 1990

Mr. Donald E. Campbell
Acting Director
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

Dear Mr. Campbell:

This letter transmits to you, in accordance with 5 C.F.R. § 734.604(c)(2)(iii), a copy of the Standard Form 278, "Financial Disclosure Report," filed by John W. Bartlett incident to his nomination to the position of Director of the Office of Civilian Radioactive Waste Management, U.S. Department of Energy. A position description is attached to the form.

I have also enclosed a copy of the statement provided to Mr. Bartlett, advising him of statutory and other restrictions applicable to his anticipated service as the Director. This advice is based upon a review of the interests disclosed in his Standard Form 278. I encountered no problems in reaching the conclusions upon which my certification on the form is based.

Sincerely,

Ralph D. Goldenberg
Assistant General Counsel for
General Law

Enclosures

DOE F 1325.8
(10-90)

United States Government | Department of Energy

memorandum

DATE: JAN 2 6 1990

REPLY TO ATTN OF: GC-43

SUBJECT: Statement of Agency Ethics Official for Senate Committee

TO: John W. Bartlett

This memorandum is intended to serve as a statement from the designated agency ethics official for this Department, as required by the Statement for Completion by Presidential Nominees that you are submitting to the United States Senate Committee on Energy and Natural Resources in connection with your nomination to the position of Director of the Office of Civilian Radioactive Nuclear Waste Management. I have reviewed your Standard Form 278 (Financial Disclosure Report) dated October 16, 1989, and your Form DOE-460 (Report on Prior Employment) of the same date, and have certified that the information contained therein discloses no conflict of interest under applicable laws and regulation.

Section 208, title 18, United States Code, prohibits a Federal officer or employee from participating personally and substantially, as a Government employee, in any particular matter in which, to his knowledge, he has, or his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment has, a financial interest.

On Schedule A of your Standard Form 278, you reported interests in TASC stock and in the Profit-Sharing (Retirement) Fund of The Analytic Sciences Company (TASC), which consists of an interest in several Fidelity mutual funds and TASC common stock. You will receive payment for part of your TASC stock in May 1990; the value of TASC stock included in the retirement fund has been transferred to your interest in the elected Fidelity mutual funds. Further under the terms of the retirement fund plan, you may not receive distribution of your interest in the fund until May 1991.

These interests constitute financial interests within the meaning of 18 U.S.C. 208. Therefore, until you have received all amounts owed to you from TASC, you should avoid participation in any matter the outcome of which could have a direct and predictable effect upon TASC. Accordingly, you have agreed to recuse yourself from participation in any particular matter, that could have a direct and predictable effect upon TASC.

As a supervisory employee, you will also be prohibited by section 602(a) of the Department of Energy (DOE) Organization Act (Pub. L. No. 95-91) from knowingly receiving compensation from, holding any official relation with, or having any pecuniary interest in any energy concern. The term "energy concern" is defined in section 601(b) of the Act as any entity "significantly engaged in the business" of any of a variety of activities related to energy production, distribution, sale, or research and development, or any entity significantly engaged in such research and development pursuant to a DOE-funded program irrespective of whether it otherwise engages in such business. The term also includes any entity holding an interest in property from which an energy resource is commercially produced or obtained.

Further, Executive Order 12674 signed by President Bush on April 12, 1989, prohibits an employee appointed by the President to a full-time noncareer position in the executive branch from receiving any earned income for any outside employment or activity performed during that Presidential appointment.

Please let me know if I can be of further assistance.

Ralph D. Goldenberg
Assistant General Counsel
for General Law

SF 278 (Rev. 1/87)
FPM Chapter 734
U.S. Office of Personnel Management

Financial Disclosure Report

Form Approved
OMB No. 3206-0092

Reporting Status (Check Appropriate Box)			Agency Use Only	OGE Use Only	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (If Applicable) (Month, Day, Year)
☐ Incumbent	☒ New Entrant, Nominee, or Candidate	☐ Termination Filer	JAN 26 1990		CANDIDACY: 09 OCTOBER 1989	

	Last Name	First Name and Middle Initial	
Reporting Individual's Name	BARTLETT	JOHN W.	
Position for Which Filing	Title of Position: DIRECTOR, OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT	Department or Agency (If Applicable): DEPT. OF ENERGY	
Location of Present Office	Address (Number, Street, City, State and ZIP Code): 55 WALKERS BROOK DRIVE, READING, MA 01867	Telephone No. (Include Area Code): 617-942-2000	
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: NONE		
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: ENERGY AND NATURAL RESOURCES	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No	

Certification	Signature of Reporting Individual	Date (Month, Day, Year)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	John W. Bartlett	October 16, 1989
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)
Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year)
The information contained in this report discloses no conflict of interest under applicable laws and regulations.	Paige D. Josemberg	1/26/90
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A (except for BLOCK D), C, and D. (Candidates do not file Part II of Schedule D.

- **Schedule A**—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side) ☐

SF 278 (Rev. 1/87)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0082

Reporting Individual's Name	Assets and Income	Page Number	2	Schedule A
BARTLETT, JOHN W.				

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources		BLOCK B Valuation of Assets							BLOCK C Income															BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐		Category of Value (X)							Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Sched. B Part I for those assets including those sold for a loss.	
		None (or less than $1001)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000		Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
S DC	Examples. X Y Z Common			X					X									X						—		X	
	Doe Jones & Smith, Hometown, USA			X											ptnrship income									$50,000			
1	THE ANALYTIC SCIENCES CORP. READING, MA (TASC)	(resigned 11/7/89) Amt 1-24-90													SALARY									133801			
2	TASC STOCK *						X									X (NA)											
3	TASC PROFIT-SHARING * (RETIREMENT) FUND						X		X (NA)											X (NA)							
4	PERSONAL IRA ACCOUNT **			X					X							X (NA)											
5	TIAA/CREF RETIREMENT FUND				X											X (NA)											
6	CERTIFICATES OF DEPOSIT BANK OF NEW ENGLAND			X							X						X										
7 S	CERTIFICATES OF DEPOSIT BAYBANK, Boston, MA (IRA)		X								X						X										
8 S	REFLIGEN CORP. CAMBRIDGE, MA														SALARY												
9	* Retirement Fund consists of Fidelity Puritan, Fidelity											** IRA account consists of IDS Managed Retirement Fund															
10	Equity Income, Fidelity Magellan mutual funds & TASC stock on line 2. (as 1-24-90)														IDS Financial Services, Minneapolis, MN (NA)									Balance Confirmation Statement	1-24-90		

PREVIOUS EDITION USABLE

278-210

SF 278 (Rev. 1/97)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0052

Reporting Individual's Name
BARTLETT, JOHN W.

Page Number	3	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

S or DC		Identification of Assets	Type of Transaction (X)				Amount of Transaction (X)					
			Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	Over $250,000
	Example:	X Y Z Common	X			2/1/89		X			
1		NOMINEE - NOT APPLICABLE									
2											
3											
4											
5											
6											

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only: Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. Exclude transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), exclude gifts from relatives and exclude gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☐

S		Source (Name and Address)	Brief Description	Value
	Example:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 9/15/83	$600
	Example:	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1		NOMINEE - NOT APPLICABLE		
2				
3				
4				
5				
6				

FTR 109

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SF 278 (Rev. 1/87)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0087

Reporting Individual's Name
BARTLETT, JOHN W.

Page Number	4	Schedule C

Part I
Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☒

S or DC		Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X) $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
S	Examples:	First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware	1981	13%	25 yrs.			X		
DC		John Jones, 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
1											
2											
3											
4											
5											
6											

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☒ (WB)

Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example: Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town, USA	7/75 ptnership agmnt.
TIAA-CREF Retirement Fund (no income at this time)	University of Rochester	1962 - 1968
TASC Profit Sharing Retirement Fund	The Analytic Sciences Co.	1968 - 1989

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278-109

SF 278 (Rev. 1/87)
IFR Chapter 73d
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0082

Reporting Individual's Name
BARTLETT, JOHN W.

Page Number	5	Schedule D

Part I
Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☐

Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples: Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/83
Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/76	11/83
THE ANALYTIC SCIENCES CORP., READING, MA	PRIVATE SYSTEMS ENGINEERING SERVICES FIRM	MANAGER, NUCLEAR TECHNOLOGY	6/78	PRESENT 11-7-89 (eff 1-26-90)
(TASC)				

Part II
Compensation In Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☐

Source (Name and Address)	Brief Description of Duties
Examples: Doe Jones & Smith, Hometown, USA	Legal services
Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction
EDISON ELECTRIC INSTITUTE, WASHINGTON, DC	TECHNICAL CONSULTANT ON RADIOACTIVE WASTE MANAGEMENT
ELECTRIC POWER RESEARCH INSTITUTE, PALO ALTO, CA	TECHNICAL CONSULTANT ON RADIOACTIVE WASTE MANAGEMENT
GOLDER ASSOCIATES, REDMOND, WA	SUBCONTRACTOR ON WORK FOR NRS REVIEW COMMISSION (CONGRESSIONAL COMMISSION)
APPLIED SCIENCES, INC.	PANELIST ON REVIEW OF HANFORD DEFENSE WASTE MANAGEMENT PLANS
(ALL THE ABOVE CLIENTS OF TASC)	

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EXECUTIVE LEVEL POSITION STATEMENT

Position Title: Director, Office of Civilian Radioactive Waste Management

Grade: EL-IV - Presidential Appointee - (PAS)

The Director of the Civilian Waste Management Program is responsible for providing for the development of repositories for the disposal of high-level radioactive waste and spent nuclear fuel, including the development of interim storage capabilities prior to the availability of a repository for permanent disposal, in a manner that fully protects the public health and safety and is in accordance with the Nuclear Waste Policy Act, P. L. 97-425 of 1982. Specific responsibilities in this regard include, but are not limited to, the following:

- Provide overall policy recommendations to the Office of the Secretary relating to the Civilian Radioactive Waste Management Program.

- Ensure that the overall direction and pace of the Program proceed as mandated by P.L. 97-425.

- Provide policy guidance, direction and control to the Associate Directors to ensure that their activities are properly focussed, paced and integrated into the overall Civilian Radioactive Waste Management Program and support fully the mission and objectives of the Department and the policies of the Secretary.

- Provide policy guidance to Field Offices in implementing major decisions beyond the scope of the day-to-day authority of the Associate Directors.

The Director reports to the Secretary who provides very broad policy guidance.

APPENDIX II

Responses to Additional Questions From the Nominees

Department of Energy
Washington, DC 20585

February 9, 1990

The Honorable J. Bennett Johnston
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for the opportunity to appear before you and the distinguished members of your Committee on February 5, 1990, for my confirmation hearing for the position of Assistant Secretary for Fossil Energy.

Enclosed for the record are answers to questions submitted to me in writing. In compliance with your request, included are 18 copies for distribution to the members of the Committee.

Please let me know if I can be of further service.

Sincerely,

Robert Gentile
Assistant Secretary for
Fossil Energy Designate

Enclosures

QUESTIONS FROM CHAIRMAN JOHNSTON

Question 1: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: No.

Question 2: Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

Answer: No.

Question 3: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

Question 4: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 5: If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without

compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 6: During the past ten years have your or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: No.

Question 7: Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

Answer: No.

Question 8: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing? If not, please explain.

Answer: Yes.

Question 9: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

Question 10: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: No.

Question 11: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: None.

Question 12: DOE has recently announced a refocusing of its oil and gas R&D efforts.

a. Are you familiar with this new strategy?

Answer: Yes. I am generally familiar with this new strategy. It was released for public comment under a Federal Register notice on December 29, 1989. This new strategy was also the subject of a public meeting hosted by Deputy Secretary of Energy, Henson Moore, on January 31, 1990. Upon public release, I requested a copy of the new strategy and plans for review.

Question 12: b. What prompted this new strategy?

Answer: The documents mentioned above discuss the motivation for a new strategy. My understanding is that the strategy shift resulted from a combination of studies, the most prominent of which was DOE's Energy Research Advisory Board's, "Geoscience Research for Energy Security." In addition,

there has been Congressional emphasis on the need for DOE to develop a hydrocarbon research strategy with an emphasis on oil and gas, analysis of the trends of increasing crude oil and refined products imports with their contribution to the trade deficit, and the trend of declining domestic production coupled with the apparent acceleration of well abandonments in the lower 48 States.

Question 12: c. What is your view as to whether the focus of the R&D should be long, middle, or short term.

Answer: I think that the focus of the research needs to be distributed between all three timeframes with simultaneous execution of programs in each timeframe. Work in the short term in oil is targeted at maintaining access to and minimizing the rate of well abandonments and potential reserve enhancements of 12-15 billion barrels of oil from lower-48 onshore fields by facilitating the application of known technologies in appropriate reservoir classes with a strong emphasis in technology transfer. The middle term emphasis builds on access to the target reservoir classes. Research conducted and applied in this timeframe will develop, apply and transfer advanced technologies and has a projected benefit of potential reserve additions of 27-61 billion barrels of oil to the reserve base. The concurrent long-term research targets fundamental understanding and innovation in recovery technology aimed at recovering a portion of the approximately 300 billion

barrels of remaining oil in place. Similarly I am told that the concurrent pursuit of short, middle, and long-term objectives in natural gas research and development coupled with an active technology transfer program has the potential of augmenting the domestic gas reserve base by an estimated 20 trillion cubic feet (TCF), 250 TCF, and 160 TCF respectively in those timeframes.

Question 13: Is there any effort on the part of the Department to refocus the coal R&D in a manner similar to the oil and gas R&D?

Answer: Oil and gas R&D is focused primarily on resource extraction technology. With the exception of underground coal gasification technology development, coal R&D is focused on coal utilization and conversion technologies. As a result, it may not be appropriate to approach coal R&D in the same way as oil and gas and I am unaware of any effort within the Department to refocus coal R&D in this fashion. However, coal R&D--as any other program--should be continually reviewed to assure its continued effectiveness and responsiveness to the changing marketplace and national needs from a short-, middle-, and long-term perspective.

My first priority upon being confirmed will be to work very closely with Admiral Watkins and provide assistance to him in the development of a National Energy Strategy.

This Strategy will identify the role of utilization of domestic fuels to satisfy the energy needs of this country. Coal is our greatest domestic resource and I am sure that it will play a central role in the Strategy that is formulated. Once the National Strategy is formulated, my job will be to define a research and development program for Fossil Energy that assures that the Strategy will be accomplished. To the extent that this requires us to refocus the coal R&D program, it will be done in that context.

Question 14: Coal R&D funding request is down 60 percent from FY 1990 appropriation. Is this an indication of the lack of support for this research?

Answer: I was not personally involved in the formulation of the FY 1991 budget and therefore am unable to comment on it. However, I can say that the clean utilization of coal is certainly critical to our energy future. From my vantage point as a consultant to the Department of Energy, I also witnessed significant enthusiasm and support within the Department for coal as a major component of our energy future and for coal research and development as a way to ensure that technology will be available to use coal cleanly. You can be assured that I personally intend to support and advocate a strong coal research, development, and demonstration program to assure that we have the capability to utilize our most abundant domestic energy

resource in an environmentally clean, efficient, and cost-effective manner.

Question 15: The MHD and fuel cells technologies are included as part of the President's Clean Air bill because of their promise to reduce substantially both SO_x and NO_x emissions in coal-fired generation. Shouldn't DOE fossil energy play a stronger role in the funding of these technologies?

Answer: The technologies being developed under the Magnetohydrodynamics (MHD) and Fuel Cell Systems programs can be expected to contribute substantially to reducing emissions of air pollutants (e.g., SO_x, NO_x, particulates) from power generation and provide other environmental benefits as well, e.g., reductions in CO_2 emissions, thermal loads, solid waste production and land requirements for siting. As part of the process of developing a National Energy Strategy, I will be evaluating all Fossil Energy technologies including MHD and fuel cells. This process will permit me to recommend the appropriate level of funding in the Fossil Energy R&D program.

Question 16: What is the extent of foreign participation in the clean coal program? Does DOE have a policy regarding foreign participation in the clean coal program? If not, is one expected? When? What are your views on the subject?

Answer: I understand that significant foreign participation exists in the Clean Coal Technology Program, but it is important to recognize that this participation takes many forms--

from licensing of technology to the involvement of companies themselves. No specific policy is in place in the Department regarding foreign participation, but it is clear that Admiral Watkins and Deputy Secretary Moore believe that this is an issue that should be receiving high priority attention by senior management.

My views on the subject are twofold: First, I believe that the Department must define very specifically its policies regarding foreign participation in advance of requesting private sector proposals for clean coal technologies. Given that industrial participants in this program must be willing to contribute at least 50 percent of project costs, it is only fair that they have a clear understanding of Federal policies before committing substantial resources to the program. In this regard, I believe the Department is moving in the right direction by specifically addressing the foreign participation issue in its upcoming clean coal technology public meetings.

These meetings are preparatory to the issuance of a call for proposals, and they will give prospective participants the opportunity to express their views on this and other matters.

Second, I believe that the policy ultimately adopted by the Department must balance the benefits that can come

from foreign participation, in terms of both advanced technology and financial investment, with the need to ensure that U.S. companies are not placed at a competitive disadvantage in domestic and world markets. I believe we have the opportunity to construct technology licensing, proprietary data and other such policies in a manner that can strike this balance--and in a way that protects the interest of U.S. taxpayers.

Question 17: DOE recently streamlined its clean coal program's negotiating process. Are you aware of this program improvement? Are there any other management changes in the program underway?

Answer: I am aware of Secretary Watkins' initiative to reduce the administrative delays in approving clean coal technology projects. I wholeheartedly support these efforts. Given the efforts underway to strengthen our Nation's clean air laws and the role clean coal technologies can play in these efforts, it is important that the pace of government approval of these projects be accelerated as much as possible. The Secretary's personal involvement in this effort reflects the significance placed on the Clean Coal Technology Program by the Department.

If I am confirmed, one of the areas that will receive much of my attention will be the process for negotiating and approving clean coal projects. There may be opportunities for making further improvements, and if that can be done without compromising our efforts to ensure prudent expenditures of public funds, I would hope to make those improvements.

QUESTIONS FROM SENATOR WALLOP

Question: Over the past several years, the Department of Energy and the University of Wyoming's research corporation, Western Research Institute, have conducted important fossil energy research. Last year, the Department of Energy and the Western Research Institute agreed to jointly sponsored research. The agreement stated that the Department of Energy would provide $2.5 million in matching funds in FY 91 for research carried out by Western Research Institute. This allocation was in addition to the base research program detailed by a cooperative agreement that is in effect until fiscal year 1992.

The Department's FY 91 budget request fails to identify the $2.5 million funding for Jointly Sponsored Research activities. Please explain how you intend to meet this research commitment.

The success of this federally-assisted program depends upon a clear message that the government is a solid partner for private industry. Will you support the program to assure the participation of industrial partners?

Answer: While I haven't had a chance to evaluate the specific proposals reviewed in response to the Jointly Sponsored Research program initiated in FY 1990, I am encouraged by the number of proposals received by the Western Research Institute (WRI). I totally support the program goal of encouraging the institution to become self-sufficient and believe the activities initiated in FY 1990 will help WRI achieve that goal. While I understand that no funds were specifically budgeted for this program in FY 1991, I believe that WRI's significant background in Fossil Energy R&D, coupled with the benefits of the FY 1990 Jointly Sponsored Research activity, place it in a strong position to compete for the available research dollars on a cost-shared basis.

QUESTIONS FROM SENATOR CONRAD

Question 1: There appears to be great concern at DOE regarding loss of "advanced" technologies to foreign developers. What consideration should DOE give in developing a policy which would encourage U.S. technologists to work with their foreign counterparts in developing new technologies?

Answer: I am aware of the considerable attention being given by senior DOE management to the matter of foreign ownership or acquisition of advanced energy technologies. This is an issue that crosscuts several program elements within the Department--from photovoltaic solar cells to clean coal technologies. Obviously, in such areas as clean coal and other fossil energy technologies, I hope to play a major role in developing a Departmental policy that can capture the benefits of foreign involvement while protecting the interests of U.S. industry and U.S. taxpayers.

Developing this policy will require a careful balancing of U.S. and international interests. On one hand, the United States stands to benefit greatly from the expertise and past investments of other countries in new technologies. Yet, particularly where U.S. tax dollars are involved, Federal policies must ensure that the domestic industries retain or enhance their competitive standing. I am convinced, however, that such a balancing is possible, and I would hope that my international background will allow

me to contribute significantly to a fair and beneficial Departmental policy on foreign involvement in advanced technologies.

Question 2: The Energy and Environmental Research Center at the University of North Dakota is one of four research entities now under contract with the Morgantown Energy Technology Center (METC) to develop a mild gasification process. What is your assessment of mild gasification processes for producing improved coproducts that will be competitive in today's market?

Answer: Mild gasification processes for producing competitive coproducts from coal are very promising, particularly when western coals are utilized. I understand that progress is being made in developing mild gasification technology in the Department's coal R&D program. Further, a mild gasification project (ENCOAL) was just selected under the Department's Clean Coal Technology Program to demonstrate a mild gasification process at a 1000 ton/day scale using Powder River Basin coal. Industry is providing 50 percent of the cost of the project. This is all very encouraging for the future of mild gasification processes.

Question 3: Last year the Department of Energy initiated a Jointly Sponsored Research Program at the UND Energy and Environmental Research Center and the Western Research Institute in Wyoming. The North Dakota program has been extremely successful, attracting 46 contract opportunities from the private sector which will be matched from the $2.3 million provided to the partnership program last year by DOE. Many of these contracts are multi-year arrangements which help to ensure a stable research program and meet the Administration's goal of sharing research risks and benefits with the private sector. The President's budget calls for eliminating this program

which will wreak havoc with current contracts, and also increase the Center's reliance on DOE research funds. What is your assessment of the Jointly Sponsored Research Program, and what is the justification for terminating funding for this initiative?

Answer: It is my understanding that the assessment of the Jointly Sponsored Research Proposals is currently underway with a final evaluation due to Congress in May 1990, so I haven't had a chance to evaluate the responses. I am encouraged, however, by the number of proposals received by the Energy and Environmental Research Center at the University of North Dakota in response to the Cooperative R&D program initiated in FY 1990, and believe that these activities will help to provide the necessary transitional program to permit the Center to secure other private and Federal sector support. While I understand that no funds were specifically budgeted for this program in FY 1991, I would expect the Center to continue to compete for Fossil Energy R&D FY 1991 funds based upon their extensive experience and background in the program and would encourage the submission of cost-shared proposals.

Question 4: What is the outlook for DOE involvement in the development of western U.S. coals?

Answer: The Department's coal program must be national in scope and must address all coal resources, both western and eastern. The technical and economic issues associated with utilizing western and eastern coals are very

different and technology must be developed that will allow the effective and clean utilization of all of our coal resources.

The objective of the DOE R&D program is to assure that coal is a viable and economically competitive option that can be used in a way that is consistent with environmental concerns. It is clear to me that DOE will be involved in the development of western U.S. coals.

QUESTIONS FROM SENATOR HOWARD M. METZENBAUM

Question 1: What evidence, if any, did the Department of Energy gather to determine the environmental impact of the Yukon Pacific project?

Answer: Since this question and many of the other questions that you asked pertain to the specifics of the Yukon Pacific case and the order (Order 350) that the Department issued in that case on November 16, 1989, I would like first to tell you about my knowledge of the case and the order. I am somewhat familiar with the Yukon Pacific case. However, I was not personally involved in the decision that was issued nor in the Department's consideration of the evidence in the docket that led to that decision. I have been advised that, since the Department is currently involved in a proceeding to review that decision, it would be inappropriate for me to comment specifically on the merits of that decision. However, I will respond to your questions to the best of my general knowledge and, where appropriate, refer you to the specific pages of Order 350 that address your question.

I have been advised the Department fully complied with its National Environmental Policy Act (NEPA) responsibilities. The Department was involved in the preparation of an Environmental Impact

Statement before it issued the decision on the Yukon Pacific case. The matter of the Department's compliance with NEPA is discussed on pages 35-38 of Order 350.

Question 2: In your opinion, are there adequate supplies of North Slope gas to serve both the Yukon Pacific export program which was the subject of DOE Order No. 350, issued by the Office of Fossil Energy on November 16, 1989, as well as the lower 48 states?

Answer: I do not have sufficient knowledge of the Yukon Pacific project or the Alaska Natural Gas Transportation System (ANGTS) project to deliver gas to the lower-48 States to properly answer this question. However, I am advised that the Department estimates that the gas resource base on the North Slope is 126 Tcf. This volume would seem to be enough to support both the ANGTS and the Yukon Pacific projects. The order addresses gas reserves on page 39.

Question 3: How does the estimated delivered cost of Northern Slope gas compare with other supplies of natural gas expected to be available to the U.S. through the 1990's and beyond? What, in your opinion, is the outlook for U.S. natural gas supply and demand through the first quarter of the next decade?

Answer: I have been told that the sponsors of the ANGTS have indicated that they can deliver North Slope gas to the U.S. border for about $3.00 per Mcf. I have not personally reviewed this estimate by the ANGTS sponsors and cannot therefore compare it to the costs of other supplies of gas. Order 350 discusses supply and demand on pages 20-26.

In general, I believe that natural gas supplies will be sufficient to meet the demand during the first quarter of the next century.

Question 4: What evidence, if any, did the Department of Energy gather to determine the economic feasibility of the Yukon Pacific project?

Answer: I have been advised that Order 350 did not consider the economic feasibility of the Yukon Pacific project because Yukon Pacific agreed to assume all of the economic risk of the project. I have been advised, further, that Order 350 includes a specific condition to bar the passthrough of any costs of the project to U.S. consumers. This condition is found on page 31 of Order 350.

Question 5: Were any regulatory requirements which generally govern export applications waived for Yukon Pacific? Please explain, in your opinion, whether or not any such waiver is justified.

Answer: I have been advised that no regulatory requirements were waived in this case. I would have to examine the facts of a specific case to determine whether it would be appropriate to waive any regulatory requirements.

Question 6: What percentage of U.S. reserves do North Slope reserves represent? What percentage of North Slope reserves does the Yukon Pacific project propose to export? In your opinion, will Yukon Pacific's export of the North Slope reserves prevent the completion of the Alaska Natural Gas Transportation System ("ANGTS"), which was approved by Congress in 1977, and which has been the basis for several billion dollars of private investment by United States and Canadian companies? Please explain your answers.

Answer: I am informed that the total U.S. gas reserves are estimated to equal 1,188 Tcf and that the gas reserves on the North Slope are estimated to be 126 Tcf. Thus, the North Slope reserves would equal approximately 11 percent of the total U.S. reserves. I understand that the Yukon Pacific project proposes to export up to 16.5 Tcf and that amount would be equal to 13 percent of the estimated North Slope reserves.

I am not familiar with the economics of the ANGTS project and am not able to estimate the impact on it of the export of some of the North Slope gas.

Question 7: Are you aware of the fact that, on December 20, 1989, the Canadian Ambassador sent a letter to the

State Department, stating that the DOE's export decision is inconsistent with the commitments which have been made to the government of Canada in connection with the ANGTS?

Answer: Yes, I understand the Ambassador sent such a letter. I am also aware that the State Department responded on January 29, 1990.

Question 8: Given your "strong appreciation for the international aspects of energy," discussed in your statement, how would you respond to the Canadian Ambassador?

Answer: Since this was a letter from a foreign diplomat, I would consult with the State Department, after reviewing the facts of the case. I am advised that the State Department's response indicated that the United States has fulfilled and continues to fulfill its commitments to Canada concerning the ANGTS.

Question 9: If you were responsible for making the decision on the export of Alaskan North Slope gas, would you authorize such exports, even if it undermined the completion of the ANGTS and thereby deprived U.S. consumers of access to any North Slope gas?

Answer: It would be inappropriate at this time for me to speculate about this hypothetical decision since an on-going proceeding is involved. I understand exports are authorized if they are not inconsistent with the public interest. I understand the

Department's policy is to determine the public interest by looking, among other things, at domestic need. I certainly wouldn't take any action which would undermine the completion of the ANGTS.

Question 10: In the Alaska Natural Gas Transportation Act of 1976 ("ANGTA") Congress found that "the expeditious construction of a viable natural gas transportation system for delivery of Alaska natural gas to United States markets is in the national interest." Do you believe that a decision authorizing the export of that same Alaskan gas to foreign countries can be consistent with this statement of Congressional intent?

Answer: I agree that expeditious construction of a viable transportation system for delivery of North Slope gas to U.S. markets would be in the national interest.

I have been advised that section 12 of the ANGTA provides for the possible export of North Slope gas to foreign countries. In light of this, I believe the finding you refer to and the export of North Slope gas would be consistent with Congressional intent. Order 350 discusses section 12 on page 39.

Question 11: Would you agree that exports of American energy would only cause this country to replace those resources with imports of energy from foreign countries?

Answer: No, I do not agree. There are certain areas where the export of U.S. energy resources does not indicate that there must be a corresponding import to replace those supplies.

Question 12: Under these circumstances, would you agree that exports of energy are not likely to have any beneficial impact on the nation's trade imbalance?

Answer: No. In fact, I would generally expect that exports of energy would have a beneficial impact on the Nation's balance of trade since sellers are likely to seek the market in which they can command the highest price. I am advised that Order 350 discusses this on page 33.

Question 13: In your statement, you recognized that "the decade of the 1990s likely will be shaped not only by a new environmental consciousness but also by renewed concerns over the dangerous growth in oil imports and about the reliability and adequacy of our nation's electricity supplies." Please explain how the Yukon Pacific project, if completed, would address the new environmental consciousness and each of these concerns.

Answer: Without a detailed knowledge of the Yukon Pacific project it is difficult to respond to this question. I am advised that in Order 350 the Department took specific care to address the environmental impacts of the project and directed Yukon Pacific to implement the project in accordance with all environmental procedures and

requirements. This would appear to me to reflect the new level of environmental consciousness that I spoke of in my statement. I don't believe that the export of North Slope gas will lead to a growth in U.S. oil imports or have any effect on the adequacy of our Nation's electricity supplies. I believe instead that the development of the North Slope gas reserves for the export project will stimulate additional development of gas exploration and production in that area and that those additional supplies will have a beneficial impact on U.S. energy security.

Question 14: In your opinion, is Order No. 350 consistent with "an energy strategy that encourages a mixed and balanced supply of energy sources at reasonable costs" discussed in your testimony? Please explain your answer.

Answer: Yes, that is my opinion. I do not see how the possible export of Alaskan natural gas would prevent us from attaining this goal. I am advised that in 1989, 93 percent of the gas that was consumed in the United States was produced domestically. The remainder was imported from Canada with a small amount coming from Algeria. Further, we exported gas to Canada, Mexico, and in fact, continued a 20-year export of Alaskan natural gas to Japan. This would seem to be a mixed and balanced energy strategy.

I am advised that Order 350 would authorize the export of natural gas from the North Slope that, at this time, is unavailable to U.S. markets. My assumption would be that, if the Yukon Pacific sponsors are able to find a market for the North Slope gas and are able to begin delivery of gas to foreign markets, those sales would stimulate the further development of gas reserves in that area. I base this assumption on the fact that it is typical that the initial development of gas fields leads to further exploration of the area and additional production. If this is the case the initial development of the North Slope gas reserves for the production of gas for export sales should lead to the development of additional gas reserves that could be used to provide gas to the lower 48 States.

Question 15: How is Order No. 350 consistent with your stated desire to "expand [presumably domestic] markets for natural gas?"

Answer: As I said in my statement "I support the development of both production and end-use technologies that can expand markets for natural gas." I did not intend to limit this solely to domestic markets. It is my opinion that with additional availability and supply of natural gas,

consuming markets will feel more confidence in the resource and thereby increase demand.

Question 16: I understand that the FERC conducted several years of trial-type hearings before it reached a decision on the ANGTS. Under these circumstances, do you think it is fair and prudent to undermine the ANGTS, which has been approved by the President and Congress, without a similar hearing within which to challenge the proposed exports? Please explain.

Answer: I am not familiar with the procedures the Federal Energy Regulatory Commission used in reaching its ANGTS decisions. I have not yet reviewed the specific procedural requirements the Department must follow before it can issue its decision on an export application. I am advised the Department fully complied with all procedural requirements before it issued the Yukon Pacific decision, and that all parties in the case were fairly treated. Further, I am advised that there is nothing in Order 350 that would prevent the ANGTS sponsors from proceeding with their project.

Question 17: Under these circumstances, please explain how Order No. 350 will foster the "workable, productive partnership between government and industry" to enhance the nation's energy security that you spoke of in your statement this morning?

Answer: I am advised that Order 350 fostered a workable, productive partnership between the government and industry, and further that the government for its

part is not standing in the way of private development of privately owned energy resources. Industry for its part will develop those resources if they are economical to develop.

Question 18. Referring to the additional oil imports that would result from an export of Alaskan North Slope gas, DOE Order No. 350 stated: "Even if the proposed export tends to increase energy imports, the DOE does not necessarily equate such a situation with energy insecurity" (p. 28). Do you agree with that statement? Please explain your answer.

Answer: As in my response to previous questions, in this particular instance, I do not believe that exports of natural gas from the North Slope will contribute to additional oil imports. I am advised that Order 350 was discussing, in general, energy interdependency, and, in particular, imported gas from Canada rather than oil imported from OPEC. I do not view imports of Canadian gas to be inconsistent with our Nation's energy security.

Question 19. In your terms of security of supply and environmental benefits, would you agree that Alaskan North Slope gas is a better alternative for U.S. consumers than imported OPEC oil?

Answer: In general, I believe that domestic energy sources are more secure than imported OPEC oil and that gas is an environmentally desirable fuel. There are many alternatives available to U.S. consumers

besides imported OPEC oil, including enhanced recovery of domestic supplies, gas imports from non-OPEC nations, and utilization of coal and other alternate fuels.

Question 20. I understand that DOE approved the proposed exports prior to the FERC's study of the environmental and safety implications of LNG tankers moving highly volatile cargo through the narrow straits in Prince William Sound, which was the site of the recent Exxon Valdez accident? Do you believe that DOE could make an intelligent public interest determination on the exports before this environmental information is available and completely analyzed?

Answer: As stated in my response to the first question, I am advised that the Department complied with the NEPA process prior to issuing Order 350. I am further advised that Order 350, in light of the Exxon Valdez accident, required the FERC to study the environmental and safety aspects of LNG facilities and LNG tankers. This would appear to be a responsible action for the Department to take. Order 350 discusses this on pages 37 and 38.

Department of Energy
Washington, DC 20585

February 13, 1990

The Honorable J. Bennett Johnston
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed for the record is an answer to the question you submitted to me on Monday, February 12, 1990, in connection with my nomination for the position of Assistant Secretary for Fossil Energy. In compliance with your request, included are 18 copies for distribution to the members of the Committee.

Please let me know if I can be of further service.

Sincerely,

Robert Gentile
Assistant Secretary for
Fossil Energy Designate

Enclosures

QUESTION FROM CHAIRMAN JOHNSTON

Question: We have been informed by the Office of the Inspector General that there is an ongoing investigation into allegations of misuse of funds within the Office of Surface Mining Reclamation and Enforcement (OSMRE). It is our understanding that the activities in question occurred at least in part during your tenure as Director of OSMRE. What is your personal knowledge, if any, of these matters?

Answer: Mr. Chairman, I assume that the investigation you refer to is the one that I initiated in March 1989 while serving as Director, OSMRE. I do not know the details of this investigation. After being sworn in as Director of OSMRE in November 1988, I became aware of a potential misuse of Title IV and Title V funds and immediately instructed a member of my staff to conduct a cursory investigation into this matter. In March of 1989, upon being briefed by my staff on the results of their investigation, I notified the Inspector General of my concern and requested advice on how to proceed. I was subsequently advised by the Inspector General that his office would look into this matter.

Further, I had the OSMRE staff prepare briefing materials for the newly appointed Deputy Director of OSMRE with all the pertinent facts relating to this issue, as we knew them. I did brief the Deputy Director and subsequently wrote a memorandum to my successor, the Director-Designate outlining my concerns.

Department of Energy
Washington, DC 20585

February 9, 1990

The Honorable J. Bennett Johnston
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for the opportunity to appear before you and the distinguished members of your Committee on February 5, 1990, for my confirmation hearing for the position of Director of the Office of Civilian Radioactive Waste Management.

Enclosed for the record are answers to questions submitted to me in writing. In compliance with your request, included are 18 copies for distribution to the members of the Committee.

Please let me know if I can be of further service.

Sincerely,

John W. Bartlett

John Bartlett
Director of the Office of
Civilian Radioactive Waste
Management Designate

Enclosures

QUESTIONS SUBMITTED BY CHAIRMAN JOHNSTON

Question 1: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: No.

Question 2: Have you ever been convicted (including a plea of guilty or nolo contendre) of any criminal violation other than a minor traffic offense?

Answer: No.

Question 3: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

Question 4: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 5: If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: None.

Question 6: During the past ten years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: None.

Question 7: Have you or your spouse ever registered under the foreign Agents Registration Act? If so, please furnish details.

Answer: No.

Question 8: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing: If not, please explain.

Answer: Yes.

Question 9: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

Question 10: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: None.

Question 11: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: None.

Question 12: The MRS Commission recently submitted its report to Congress. That report concluded that interim storage was a good idea and recommended that Congress authorize two smaller facilities. The Commission concluded that a de-linked MRS -- one that would be unconstrained by the repository schedule -- would be of great value to the waste system. However, in light of the linkages -- and

Question 12: (Cont'd)

the Commission's perceived value of those linkages -- they recommended against the MRS and in favor of two smaller facilities.

As you are probably aware, I have been a major proponent of MRS. It is my belief that interim storage would be very valuable. Building an MRS would also allow spent fuel to be removed sooner from reactor sites.

-- What is your opinion of the MRS?
-- What action should the Department take on MRS?
-- Do you think the Department should submit legislation to the Congress to de-link the MRS?
-- Will the Department advocate de-linking the MRS?
-- How do you think the Department should go about trying to find an MRS site?

Answer: The MRS is an essential part of the spent fuel management system. I believe the Department should seek to implement the integrated MRS in order to begin acceptance of spent fuel in 1998, as indicated in the Secretary's report on reassessment of the OCRWM program.

I believe the Department should seek to site an MRS through a solicitation and negotiation process. The negotiated agreement would be expected to contain terms and conditions for approval by Congress which would eliminate the need for advocacy or legislative action to de-link the MRS.

Question 13: I am concerned about the lack of progress over the last couple of years in carrying out technical field work at Yucca Mountain. Site characterization and the sinking of an exploratory shaft have been a year or more away for the last several years. With every year that passes, it seems that we get further away from carrying out technical work on site.

The Department's recent report to Congress on the nuclear waste program indicated that sinking of an exploratory shaft would now be delayed until November 1992. Prior to sinking the shaft, the Department now intends to conduct surface-based testing for approximately a year and a half.

-- What is your opinion of this approach?
-- Couldn't surface-based testing and exploratory shaft testing be conducted in parallel?

Answer: Surface-based and exploratory shaft testing can and should be done in parallel as much as possible. There is possibility that there might be advantage in initiating surface-based work in advance of the exploratory shaft to take advantage of data from surface-based testing. However, this is not certain at this time. If confirmed, I would direct development of an optimized site evaluation plan which includes an objective of starting the exploratory shaft as soon as possible.

Question 14: The nuclear waste program for years was one of the few growth areas with the Department's budget. However, that is no longer the case. Resources for this program will be as scarce as for any other program. I am concerned that we are wasting a lot of money on overlapping or duplicative work by contractors. I am concerned that contractors' work is not as well coordinated as it could be.

Question 14: (Cont'd)

-- What are your plans for examining this issue? Will you be willing to cut out any fat in the waste program?

Answer 14: I consider removal of overlapping or duplicative work by contractors to be an essential factor in building respect and credibility for the program. If confirmed, I would act to extend the Secretary's previous independent assessment of program management and would establish operations which maximize contractor and DOE effectiveness; i.e., which cut out any fat in the program.

Question 15: In August 1989, a judge in the U.S. Claims Court ruled invalid the Department's award of a $100 million a year contract to Bechtel. The judge ruled further that the contract could only be awarded to TRW. There have recently been news reports that the Department was negotiating with both Bechtel and TRW over the contract award. As a result, a third contractor has now filed suit in claims court to prevent any award of the contract to Bechtel and to stake claim itself to award of the contract. In light of all this, it seems to me that the best approach might be to abandon the contract altogether.

-- Does such a contract really make sense now that there is only one site under consideration instead of three?

-- What are the benefits of such a contract?

-- Shouldn't this job actually be carried out by the Department, not by a contractor?

Answer 15: With regard to the integrating contractor, I believe that there are program integration

Answer 15 (Cont'd)

functions which are needed but are not now present. I do not at present have enough information to have an opinion on whether the contract under consideration or the Department itself might best provide the needed functions. If confirmed, I would undertake a review of the situation and select the most effective approach.

Question 16: The Department of Energy's obligation to accept high-level radioactive waste and spent nuclear fuel under the Nuclear Waste Policy Act of 1982, as amended, is stated as follows in section 302(a)(5) of the Act.

"Contracts entered into under this section shall provide that--

"(A) following commencement of operation of a repository, the Secretary shall take title to the high-level radioactive waste or spent nuclear fuel involved as expeditiously as practicable upon the request of the generator or owner of such waste or spent fuel; and

"(B) in return for the payment of fees established by this section, the Secretary, beginning not later than January 31, 1998, will dispose of the high-level radioactive waste or spent nuclear fuel involved as provided in this subtitle."

The Department's obligation is stated and defined further in the Standard Disposal Contract. In Article II, the contract provides for DOE's acquisition of title to spent nuclear fuel and high-level radioactive waste, transportation, and subsequent disposal "after commencement of facility operations, not later than January 31, 1998." In Article I, DOE facility is defined as "a facility operated by or on behalf of DOE for the purpose of disposing of spent nuclear fuel and/or high-level radioactive waste, or such other facility (ies) to which spent nuclear fuel and/or high-level radioactive waste may be shipped by DOE prior to its transportation to a disposal facility."

Question 16: (Cont'd)

In response to a question from me in September 1984, then-Secretary of Energy Donald Paul Hodel stated that this commitment in the Standard Disposal Contract, taken with the overall thrust of the Nuclear Waste Policy Act, would create an obligation for the Department to accept spent fuel whether or not a repository is in operation.

In 1987, the Department further refined its interpretation of that legal obligation in response to a post-hearing question. At that time, the Department stated that its contractual obligation could be met by acceptance of spent fuel at a monitored retrievable storage (MRS) facility in the event that a repository was not in operation.

-- Do you believe that the Department has an obligation to accept title to spent fuel after January 31, 1998 in the event that neither a repository nor an MRS is in operation?
-- Would the Department be legally required under the NWPA, and the Disposal Contract, to provide a facility for temporary storage beginning in 1998 if neither a repository nor an MRS is in operation?
-- Would the Department be authorized to take title to spent fuel and store it at reactor sites?

Answer 16: The Department plans to implement a program designed to achieve start of waste acceptance in 1998. I do not have sufficient information or knowledge to address the specific legal implications of these questions at this time. If confirmed, I would be pleased to address them in the future.